

UNITED STATES

Memorandum

TO : Mr. Gebhardt

FROM : R. E. Long

SUBJECT: WATERGATE AND RELATED INVESTIGATIONS

DATE: 7/24/73

- 1 - Mr. Gebhardt
- 1 - Mr. Long
- 1 - Mr. Nuzum
- 1 - Mr. Ed McDonough
- 1 - Mr. Miller (Wagoner)
- 1 - Mr. Cleveland

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This is to advise of an oral request received 7/19/73, from Mr. James Vorenberg of Special Prosecutor Cox's staff who contacted Supervisor Charles A. Nuzum and requested that two copies of each FBI report be furnished to the Special Prosecutor's office in the future. Mr. Vorenberg made the point that quite frequently different task forces in the office have interest in a particular report and receiving two copies of reports will greatly facilitate their work.

RECOMMENDATION: That the General Investigative, Intelligence and Special Investigative Divisions, which are conducting investigation at the request of the Special Prosecutor, insure that two copies of future reports are furnished his office.

CAN:efg
(7)

efg
CAN

WNC

RFG/crm
GH

WAF

27
JUL 26 1973

NOT RECORDED
JUL 27 1973

WAF

(81)

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gebhardt *RG/aw*

DATE: 7/17/73

FROM : R. E. Long *RE/WAF*

SUBJECT: CONFERENCE BETWEEN THE DIRECTOR AND FORMER ACTING DIRECTOR WILLIAM D. RUCKELSHAUS 7/17/73 RE MATTERS WHICH HAVE BEEN INVESTIGATED AND ARE BEING INVESTIGATED BY FBI AT REQUEST OF SPECIAL PROSECUTOR'S OFFICE

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Telephone Rm. ☒
Director Sec'y ☒

Attached is a memorandum to Attorney General advising him of captioned conference and the purpose thereof.

On 7/17/73 former Acting Director William D. Ruckelshaus together with his former aide Mr. Carl Eardley met with the Director, Assistant Directors Callahan, Gebhardt, Miller, Inspector Mintz and Supervisors Nuzum and Wagoner. At this conference matters relative to requests from the Special Prosecutor's Office for FBI investigation were discussed.

The primary purpose of the meeting was to effect an orderly transfer of the responsibilities of this phase of the Bureau's work from Mr. Ruckelshaus to the Director. In addition, the Federal regulations establishing Mr. Cox's Office were discussed together with the Cox mandate from the Attorney General outlining the jurisdiction of the Special Prosecutor's Office.

Mr. Eardley provided several tickler files of the various areas of investigation being pursued by the FBI at the request of the Special Prosecutor's Office. Mr. Eardley pointed out during his tenure as aide to Mr. Ruckelshaus he continually reviewed newspapers and other publications for the purpose of becoming aware of any areas suggesting the need for FBI investigation and had on occasion sent memorandum to the Special Prosecutor's Office pointing out possible violations within FBI jurisdiction which were also within the purview of the Special Prosecutor's Office. In addition to the above-mentioned tickler files, Mr. Eardley also provided a tickler file relating to correspondence JUL 27 1973

Enclosure

1-Mr. Gebhardt 1-Mr. Mintz
1-Mr. Callahan 1-Mr. Wagoner
1-Mr. Miller 1-Mr. Nuzum

NOT RECORDED
157 JUL 27 1973

6-CH

CAN:nlb (7)

(CONTINUED - OVER)

Memorandum to Mr. Gebhardt
Re: CONFERENCE BETWEEN THE DIRECTOR AND
FORMER ACTING DIRECTOR WILLIAM D. RUCKELSHAUS
7/17/73 RE MATTERS WHICH HAVE BEEN INVESTIGATED
AND ARE BEING INVESTIGATED BY FBI AT REQUEST OF
SPECIAL PROSECUTOR'S OFFICE.

between the FBI and the Special Prosecutor's Office. He also pro
a file setting forth data which he had accumulated relative to innue
and charges of irregularities by former Acting Director Gray. He
reference to the fact that there was conflicting testimony between f
Acting Director Gray and Lieutenant General Vernon A. Walters of
the Central Intelligence Agency. It was discussed that investigation
alleged perjury before a Congressional Committee is conducted by
the FBI only upon specific instructions from the Department, or in
this instance, from the Special Prosecutor's Office. No such request
have been received.

The matter of liaison between the FBI and the Special Prosecu
Office was discussed and the necessity for carrying on the present goo
working relationship was emphasized.

RECOMMENDATION:

That the attached memorandum be forwarded to the Attorney Gen

Jew

RPN

RDG/cum

NPC/aw

MY EM

ul

WAF

WKC
cas

Ky

Jim

The Attorney General

Director, FBI

1-Mr. Gebhardt
1-Mr. Callahan
1-Mr. Miller
1-Mr. Mintz
1-Mr. Wagoner
1-Mr. Nuzum

July 18, 1973

WATERGATE AND RELATED INVESTIGATIONS

The following is to advise that former Acting Director William D. Ruckelshaus and I conferred on July 17, 1973, relative to matters which have been investigated and are currently being investigated by this Bureau at the request of Special Prosecutor Archibald Cox and which Mr. Ruckelshaus had been personally coordinating for the FBI.

The primary purpose of the meeting was to effect an orderly transfer of the responsibilities of this phase of the Bureau's work from Mr. Ruckelshaus to me.

In addition, the Federal regulations establishing Mr. Cox's Office were discussed together with the jurisdiction of the Special Prosecutor's Office.

I intend to continue the close liaison with Mr. Cox's Office which has already been established.

The foregoing is for your information and record purposes.

NOTE: Based on memorandum R. E. Long to Mr. Gebhardt dated 7/17/73, captioned "CONFERENCE BETWEEN THE DIRECTOR AND FORMER ACTING DIRECTOR WILLIAM D. RUCKELSHAUS 7/17/73 RE MATTERS WHICH HAVE BEEN INVESTIGATED AND ARE BEING INVESTIGATED BY FBI AT REQUEST OF SPECIAL PROSECUTOR'S OFFICE" CAN:nlb.

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Telephone Rm. _____
Director's Sec'y _____

CAN:nlb (9)

SENT FROM D. C.
TIME 2:07 PM
DATE 7-19-73
BY [signature]

MAIL ROOM ☐

TELETYPE UNIT ☐

The Attorney General

1-Mr. Miller
1-Mr. Gebhardt
1-Mr. Wagoner

July 25, 1973

Director, FBI

**REQUEST FROM SPECIAL PROSECUTOR'S
OFFICE FOR COPY OF CERTAIN DOCUMENTS
PREVIOUSLY IN THE OFFICE OF FORMER
WHITE HOUSE STAFF MEMBER EGIL KROGH, JR.**

Reference is made to FBI memorandum to the Assistant Attorney General, Criminal Division, dated May 11, 1973, captioned "U. S. vs. Anthony Joseph Russo, Jr., and Daniel Ellsberg."

The referenced memorandum confirmed the telephonic request of Deputy Assistant Attorney General Kevin T. Maroney for FBI Agents to examine documents formerly in the possession of Egil Krogh, Jr., prior to his resignation as Under Secretary of Transportation. These documents were located in Mr. Krogh's Office at the Department of Transportation and were turned over to the FBI by [REDACTED] Security Officer of the Department of Transportation. According to [REDACTED] Attorney at Law [REDACTED] Northwest, Washington, D. C., he had obtained approval for the turning over of this material to the FBI from Mr. Krogh on May 10, 1973.

In connection with the above-mentioned telephonic request of Mr. Maroney, it was also requested that the Department be advised of the identities of any Government documents in order that arrangements could be made to have these documents re-claimed. Enclosed for your information are two copies of a memorandum dated May 25, 1973, at Washington, D. C., which sets forth an inventory of the documents obtained from the Office of Egil Krogh, Jr., at the Department of Transportation. Copies of pages 1 through 64 of this memorandum were previously furnished Mr. Maroney and a copy was in turn furnished the Special Prosecutor's Office by the Department. Copies of pages 65 through 77 were furnished the Special Prosecutor's Office by this Bureau.

JRW:nlb (7)

NOT RECORDED

JUL 27 1973 SEE NOTE PAGE 2

JUL 26 1973

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84 AUG 1 1973

MAIL ROOM ☐

TELETYPE UNIT ☐

ORIGINAL FILED IN

The Attorney General

By memorandum dated June 30, 1973, Mr. James Vorenberg, Assistant Special Prosecutor, requested that this Bureau furnish the Special Prosecutor's Office with copies of certain documents listed in the inventory. The documents requested are circled in red on the enclosed inventory. Most of these documents are internal White House communications although some material actually originated with other agencies such as the FBI, U. S. Secret Service and the Department of Justice as well as individuals connected with either the Federal Government or the District of Columbia.

Inasmuch as this material was apparently accumulated by Mr. Krogh during his employment on The White House Staff, it is requested that the appropriate person at The White House be contacted to obtain authorization for the FBI to release copies of the documents requested to the Special Prosecutor's Office. In addition, it is also requested that it be ascertained what disposition of the other documents is desired.

Enclosures (2)

**1 - Mr. Archibald Cox - By Courier Service
Special Prosecutor**

NOTE: The action being taken in instant memorandum to the Attorney General was previously discussed with Inspector John Mintz, Office of Legal Counsel. Review of the documents requested by the Special Prosecutor's Office was made by SA [REDACTED]
[REDACTED]

FBI

Date: 7/9/73

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

TO: ACTING DIRECTOR, FBI
FROM: SAC, WFO (105-117396) (P)
SUBJECT: EGIL KROGH, REQUEST FOR DOCUMENTS
BY SPECIAL PROSECUTOR ARCHIBALD COX
(INTELLIGENCE DIVISION)
MISCELLANEOUS INFORMATION CONCERNING
(OO:WFO)

ReWFOairtels to Bureau, 5/25/73 & 6/27/73, captioned
"MC LEK" reporting review of certain files and documents in the
possession of EGIL KROGH at the time of his resignation as Under-
secretary of The Department of Transportation (DOT).

Enclosed for the Bureau are the following:

1. Boxes 1-3, containing Xerox copies of all files and documents in the possession of EGIL KROGH at DOT (other than personal material and DOT material);
2. Box 4, containing one Xerox copy of documents requested by JAMES VORENBERG, Assistant Special Prosecutor, Watergate Special Prosecution Force;
3. Box 5, containing one copy each of the material contained in Box 4 (for VORENBERG).

By letter dated 6/30/73, James Vorenberg, Assistant Special Prosecutor, Watergate Special Prosecution Force, requested Xerox copies of certain of the documents contained in the above-described files.

③ - Bureau (Enc. 5 boxes)
(1-65-74060) (MC LEK)
2 - WFO
(1-65-11613) (MC LEK)

WFO:jw
(5)

10 JUL 26 1973
JPW

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

84 AUG 1 1973

WFO 105-117396

A review of the documents requested by VORENBERG indicates some are classified FBI material and some are classified documents of other Government agencies, including CIA and the White House. The Bureau may desire to review this material to determine if it should be furnished to VORENBERG prior to clearance by CIA and/or the White House.

The Bureau should note that no Xerox copies were made of any documents found to be KROGH's personal material, such as insurance policies, etc., or any material found to be the property of DOT.

CODE

TELETYPE

1 - Mr. R. E. Gebhardt URGENT
1 - Mr. E. S. Miller
1 - Mr. Jesse R. Hagy

TO: SACS, LOS ANGELES (105-27952)
WFO (65-11613)

7/26/73

FROM: DIRECTOR, FBI (65-74060)

UNITED STATES VS. ANTHONY J. RUSSO, JR., AND DANIEL ELLSBERG.

REBUTEL CALL TO LA 7/26/73.

OFFICE OF ARCHIBALD COX, WATERGATE SPECIAL PROSECUTOR (SPO) ADVISED THIS DATE THAT PHIL BAKES AND BILL MERRILL, SPO ATTORNEYS, WILL ARRIVE LOS ANGELES THIS COMING WEEKEND, IN CONNECTION WITH INTERVIEW OF [REDACTED] BAKES AND MERRILL WILL STAY AT CENTURY PLAZA HOTEL, BEVERLY HILLS.

RELATIVE TO SPO INTEREST IN [REDACTED] SPO HAS REQUESTED BUREAU OBTAIN AND FURNISH TO BAKES AND MERRILL NO LATER THAN EARLY A.M., MONDAY, 7/30/73, TELEPHONE TOLL RECORDS FOR ALL RESIDENCE AND OFFICE TELEPHONES LISTED TO [REDACTED] COVERING PERIOD 4/1/73 TO PRESENT. LOS ANGELES HANDLE IMMEDIATELY; ADVISE BUREAU TELEPHONICALLY SHOULD SPO SUBPOENA FOR RECORDS BECOME NECESSARY. INCORPORATE TOLL RECORDS IN LHM FORM SUITABLE FOR DISSEMINATION.

JRH:jlbg
(5)

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEE NOTE PAGE THREE

REC-32

JUL 26 1973

TELETYPE

JUL 27 1973

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84 AUG 2 1973

MAIL ROOM ☐

TELETYPE UNIT ☐

Teletype to Los Angeles

WFO

Re: United States vs. Anthony J. Russo, Jr.
and Daniel Ellsberg

65-74060

SPO ALSO DESIRES IDENTIFICATION OF ALL SUBSCRIBERS TO TELEPHONES LISTED ON THESE TOLL RECORDS AND HAS REQUESTED EFFORTS BE MADE TO IDENTIFY AS MANY SUBSCRIBERS AS POSSIBLE BY A.M., MONDAY, 7/30/73, UTILIZING TELEPHONE CROSS-REFERENCE DIRECTORIES AND OTHER LOGICAL SOURCES. IN THIS CONNECTION SPO HAS SPECIAL INTEREST IN CALLS MADE TO SUBSCRIBERS RESIDING IN SAN CLEMENTE AND SANTA MONICA, CALIFORNIA, AND IN WASHINGTON, D. C. IMMEDIATELY UPON RECEIPT OF TOLL RECORDS, LOS ANGELES SHOULD TELEPHONICALLY COORDINATE WITH WASHINGTON FIELD OFFICE REGARDING IDENTIFICATION OF SUBSCRIBERS TO WASHINGTON, D. C., TELEPHONE NUMBERS. WASHINGTON FIELD OFFICE FURNISH LOS ANGELES INFORMATION THUS DEVELOPED BY TELETYPE SUITABLE FOR DISSEMINATION NO LATER THAN 6 P.M., SUNDAY, 7/29/73. AVAILABLE DATA CONCERNING SUBSCRIBERS IN SAN CLEMENTE AND SANTA MONICA SHOULD ALSO BE INCORPORATED BY LOS ANGELES IN LHM SUITABLE FOR DISSEMINATION.

IN THE EVENT LOS ANGELES CAN OBTAIN REQUESTED TOLL RECORDS WITHOUT ISSUANCE OF SUBPOENA DUCES TECUM, LHM^{AND TELETYPE}/PREPARED TO REFLECT TOLL RECORDS AND IDENTITY OF SUBSCRIBERS TO TELEPHONE NUMBERS CALLED SHOULD CONTAIN STATEMENT TO THE EFFECT THAT INFORMATION CONTAINED THEREIN WAS OBTAINED FROM THE RECORDS OF THE PERTINENT TELEPHONE COMPANY WHICH PROVIDED THEM AND SHOULD NOT BE MADE PUBLIC EXCEPT IN THE USUAL PROCEEDINGS FOLLOWING ISSUANCE OF A SUBPOENA DUCES TECUM.

Teletype to Los Angeles
WFO

Re: United States vs. Anthony J. Russo, Jr.
and Daniel Ellsberg
65-74060

LOS ANGELES SHOULD MAKE NECESSARY ARRANGEMENTS DURING EARLY A.M., MONDAY, 7/30/73, FOR DELIVERY TO BAKES AND MERRILL OF TWO COPIES OF EACH LHM AND/OR TELETYPE PREPARED IN CONNECTION WITH SPO REQUEST, AND THEREAFTER FURNISH BUREAU BY AIRTEL COPY OF EACH ITEM FURNISHED SPO REPRESENTATIVES.

CONCERNING IDENTITY OF SUBSCRIBERS NOT HANDLED BY 7/30/73, LOS ANGELES SET OUT APPROPRIATE LEADS WITH INSTRUCTIONS THAT INVESTIGATION BE HANDLED EXPEDITIOUSLY AND THAT RESULTS THEREOF BE FURNISHED BUREAU BY AIRTEL AND LHM, LATTER TO CONTAIN PARAGRAPH REGARDING ISSUANCE OF SUBPOENA DUCES TECUM.

BUREAU SHOULD BE ADVISED AT ONCE OF ANY PROBLEMS ARISING FROM REQUESTED SPO INVESTIGATION.

NOTE:

Foregoing per telephonic conversation between Phil Bakes, SPO, and SA [REDACTED] on a.m., 7/26/73. Bakes advised SPO will confirm request in writing. Supervisor [REDACTED] Los Angeles, was telephonically furnished with details of SPO request by SA [REDACTED] on a.m., 7/26/73 and instant teletype confirms this conversation.

(2)

19 July 1973

Mr. C. Kelly
FBI
9th & Pennsylvania
Washington D.C. 20535

Dear Sir,

I have Two problems that I feel may require your attention.

The first concerns a Mr. Willaim Terry. In certain conversations with me he said that he was a "Plumber". He said to me that Mr. Liddy, Mr. Coleman, and Mr. Geddley/Geddly were all "Plumbers" and that they solved problems for the President. Mr. Terry was murdered and left in the desert on or about 22 May 1973.

I have talked to the San Bernardino County Sheriff (Lt. Forebush) about this, and in effect he does not believe it. However, no one has talked to Mrs. G. Wood, who among others has seen Mr. Terry in the presence of notable personssuch as Gov. Reagan and President Nixon on TV. He said that he had talked to the FBI. He may or may not have done what he said, but he did (Mr. Terry) discuss with me at dinner, the Ellesburg breakin substantially before the fact was in the media. True or not, this matter makes a cloud in my life until it is cleared up. Mr. Terry aided me in certain matters that this affects.

The second problem concerns a lease/land use permit, in an area also used by the FBI, in Los Padres National Forest called Frazier Peak. Mr. Terry aided me with obtaining a land use permit on Frazier Peak, however Mr. Terry and others have said that a man that work²² for/with the FBI by the name of Aide "Black Balled" us with the local Forest. Since this seemed with out causative action, I would like to have this reversed or at least discussed.

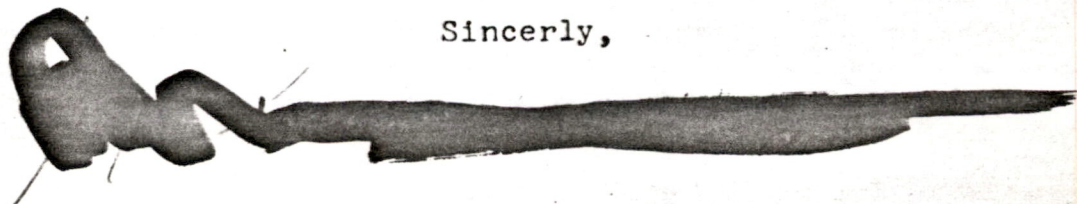
REC-32
JUL 27 1973
CORRESPONDENCE

I think that you can see my problem in going to U.S. Senator John V. Tunney and asking him to help me trace applications for a land use permit that were persued with Mr. Terry's help if Mr. Terry were involved in Watergate. I could not in good conscience do this if it were to reflect adversely on Senator Tunney.

I would like to say that one time before I assisted the FBI in solving a case. This was the case in Beverly Hills where a man was stealing telephone equipment from the phone company and advertised the equipment on ham radio. I phoned an agent and told him what I had heard. He said that he would work with the phone company. It took some talking to make him believe that it was not a joke. It was also difficult to make him believe the extent of the operation (justification for involvement of FBI).

It would be well to say that my knowlege is basicly limited to conversations with Mr. Terry and others. I have no personal involvement.

Sincerely,



Airtel

1 - Mr. Wagoner

REC-32 110

74060 4456

7/27/73

To: SAC, Los Angeles (Enclosure)

From: Director, FBI

DANIEL ELLSBERG
ACTIVITIES OF THE PLUMBERS
(INTELLIGENCE DIVISION)

Enclosed is copy of a letter dated 7/19/73 from [REDACTED]

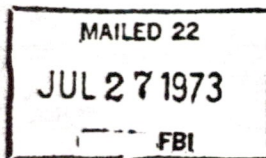
FBI Headquarters has previously been advised by the Special Prosecutor's office that that office has an interest in any activities of the so-called "Plumbers."

Since the enclosed letter is nonspecific relative to the activities Mr. William Terry engaged in on behalf of the "Plumbers," [REDACTED] should be interviewed in an effort to obtain all available information relative to the identity of Terry and the activities that he allegedly engaged in in solving problems for the President. Information relative to the circumstances under which Terry was murdered and the place of the murder should be ascertained. A complete identity of [REDACTED] should be determined and, if warranted, she should be interviewed relative to her knowledge of Terry's activities. Any information in [REDACTED] possession relative to the burglary of the office of Daniel Ellsberg's psychiatrist should be ascertained.

It is noted in the enclosed letter [REDACTED] indicates that the burglary of the office of Ellsberg's psychiatrist affects [REDACTED] in some unspecified way. This statement should be clarified in the interview.

JRW:tdp
(4)

SEE NOTE PAGE TWO



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Director Sec'y _____

84 AUG 2 1973 MAIL ROOM ☐ TELETYPE UNIT ☐

Airtel to SAC, Los Angeles
RE: DANIEL ELLSBERG

With regard to the last paragraph on page one and the first paragraph on page two, you should determine if this is a matter within the investigative jurisdiction of the FBI and, if so, submit details in a form suitable for dissemination together with your recommendation regarding further inquiry. In the event this matter is within the FBI's jurisdiction, it should be submitted under an appropriate caption and character.

Prior to interviewing [REDACTED] it would appear, based on the enclosure, that a contact with the San Bernardino County Sheriff's office could be helpful.

No information was located in Bufiles identifiable with [REDACTED] or William Terry based on the information set forth in the enclosure.

NOTE:

[REDACTED] who apparently resides [REDACTED] directed a letter to the Director indicating he had 2 problems. One concerned a William Terry who allegedly was connected with the "plumbers" and which connection has some undefined affect on [REDACTED] life. According to [REDACTED] Terry was murdered and left in the desert on or about 5/22/73. This information was apparently furnished by [REDACTED] [REDACTED] not believe whatever [REDACTED] said him. The second problem concerns a permit to lease land in the Los Padres National Forest. [REDACTED] contends that someone who works for the FBI prevented [REDACTED] from obtaining such a permit.

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

TELETYPE

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Mr. Holmes	
Miss Gandy	

NR 018 LA CODE

540 PM 7-5-73 NITEL JDH

TO ACTING DIRECTOR (65-74060)

BOSTON (65-5236)

NEW YORK (55-25641)

WASHINGTON FIELD (65-11613)

FROM LOS ANGELES (105-27952) (P) 1P

Pickman

6
MCLEK CI-13

ON JULY FIVE INSTANT

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

HE COULD ADD NOTHING FURTHER REGARDING PLANS

FOR RECALLING KROGH OR OTHER WITNESSES BUT STATED THIS
WILL BE DONE AS INVESTIGATION DEVELOPS.

5 AUG 2 1973

LOS ANGELES WILL FOLLOW AND REPORT AS INFORMATION
DEVELOPED.

END

MSI FBIHQ ACK ONE

WA CLR

*7/12/73
cc to [unclear]
SPD by JFW*

EX-105

[Handwritten signature]

*cc Mr. Bishop
Mr. [unclear]*
84 AUG 8 1973

Intelligence Division

INFORMATIVE NOTE

Date 7/5/73

ELLSBERG CASE

On 7/5/73

Data in attached being furnished to
Special Prosecutor Archibald Cox.

JHK:jvl/owc

Ellsberg

EM/owc

WRC/TS

WRC

WRC

F B I

Date: 7/11/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (65-74060) ATTN: INTELLIGENCE DIVISION
FROM: SAC, WFO (65-11613)

UNITED STATES VS. ANTHONY J. RUSSO, JR.
AND DANIEL ELLSBERG

ReBureau telephone call to WFO requesting copies of certain Xeroxed copies of photographs furnished to the Department of Justice by Central Intelligence Agency (CIA) in connection with the Watergate investigation.

Enclosed for the Bureau are 5 copies of an FD 302 reporting interview with JOHN MARTIN, Department of Justice, and which is responsive to above Bureau request.

2 - Bureau (Enc.5)
1 - WFO

CAR:jak
(3)

*2 cc's delivered
to Philip Hayman
SPO 7/13/73 JPD*

EX-105

REC-9

JUL 11 1973

Approved: 84 AUG 9 1973
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/11/731

Mr. JOHN MARTIN, Chief, Analysis and Evaluation Unit, Internal Security Section, Criminal Division, Department of Justice, telephonically advised the Department, on June 1, 1973, turned over to the office of Special Prosecutor ARCHIBALD COX its copies of various memoranda and Xeroxed copies of photographs which had been previously furnished to the Department by the Central Intelligence Agency in connection with the Watergate investigation.

JRC
Interviewed on 7/10/73 at Washington, D. C. File # 65-11613
by [REDACTED] CAR:jak Date dictated 7/11/73

ENCLOSURE

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

65 4406 4451

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/11/731

Mr. JOHN MARTIN, Chief, Analysis and Evaluation Unit, Internal Security Section, Criminal Division, Department of Justice, telephonically advised the Department, on June 1, 1973, turned over to the office of Special Prosecutor ARCHIBALD COX its copies of various memoranda and Xeroxed copies of photographs which had been previously furnished to the Department by the Central Intelligence Agency in connection with the Watergate investigation.

Interviewed on 7/10/73 at Washington, D. C. File # 65-11613
by [REDACTED] CAR:jak Date dictated 7/11/73

F B I

Date:

7/11/73

Transmit the following in _____

(Type in plaintext or code)

Via AIRTEL _____

(Priority)

TO: DIRECTOR, FBI (65-74060) (ATTN: INTD)

FROM: SAC, WFO (65-11613)(P)

UNITED STATES VS. ANTHONY J.
RUSSO, JR. AND DANIEL ELLSBERG

Re Bureau airtel to WFO dated 6/15/73 and WFO airtel to Bureau dated 6/29/73 advising WFO would check with JOHN MARTIN, Department of Justice, concerning retention of FBI documents by the Department.

JOHN MARTIN, Chief, Analysis and Evaluation Unit, Internal Security Section, Criminal Division, Department of Justice, telephonically advised 7/10/73 the Department has a record of receiving and has in files its copies of Los Angeles Division reports of the ELLSBERG investigation dated 7/2/71, 7/19/71, 7/29/71 and Los Angeles summary teletype dated 9/2/71. The Department has no record of having received a copy of Los Angeles report dated 8/11/71.

As the Bureau is aware, copies of various FD-302's found in the office of E. HOWARD HUNT were contained in the above Los Angeles reports.

② - Bureau
1 - WFO

CAR:nsu
(3)

EX-105

REC-9

17 JUL 11 1973

FIVE

Approved: _____

Sent _____ M Per _____

84 AUG 8 1973 Special Agent in Charge

U.S. Government Printing Office: 1972 - 455-574

Assoc. Dir. _____
 Asst. Dir.: _____
 Admin. _____
 Comp. Syst. _____
 Files & Com. _____
 Gen. Inv. _____
 Ident. _____
 Inspection _____
 Intell. _____
 Laboratory _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Legal Coun. _____
 Cong. Serv. _____
 Corr. & Crm. _____
 Research _____
 Press Off. _____
 Telephone Rm. _____
 Director Sec'y _____

Rowland Evans and Robert Novak

^{A-31} An FBI Tale That Doesn't Wash

The rationale for burglarizing the office of Daniel Ellsberg's psychiatrist given by John D. Ehrlichman's sworn testimony is shredded by one fact not disclosed until now: a 1971 secret meeting between G. Gordon Liddy and FBI officials.

Liddy asked whether the FBI was seriously investigating Ellsberg's disclosure of the Pentagon Papers. The answer was an unequivocal yes. Indeed, facts not revealed previously repudiate suggestions by Ehrlichman—and President Nixon himself—that the FBI was restrained from probing Ellsberg by J. Edgar Hoover's non-cooperation.

Ehrlichman and the President were either given false information, or distorted the truth. The result was an illegal act, now defended by Ehrlichman as a proper exercise of presidential power, that never would have been entertained by the FBI. As elsewhere in Watergate, the Ellsberg burglary can be traced to one of two sources: presidential complicity or presidential confusion.

The dispute stems from Ehrlichman's testimony Tuesday that his lieutenant, Egil (Bud) Krogh (head of the new "Plumbers" unit), told him that "I am having real trouble getting the FBI to move on this (the Ellsberg case)."

In fact, a key Plumber, Liddy, visited FBI headquarters in the summer of 1971 after the Pentagon Papers were leaked and published. He told a Hoover lieutenant that a secret White House unit had been formed under Krogh's leadership to plug leaks of security information—the first the FBI

heard of the Plumbers. Liddy was told the FBI had plugged the leaks itself.

When Liddy next asked about the Ellsberg investigation, he was taken to the FBI official in charge of the case. This official told Liddy the Ellsberg probe was, in FBI parlance, "a special," with a separate staff, and that "we are going all out." Liddy did not dispute this.

In truth, nearly double the agents working on the Berrigan case, then Hoover's favorite cause, were assigned to the Ellsberg unit. Although Hoover's bureaucratic red tape probably hampered the investigation, nobody at the FBI gives any credence to Ehrlichman's testimony—previously attributed to Mr. Nixon—that Hoover smothered the Ellsberg probe.

Ehrlichman testified Tuesday that then Atty. Gen. John Mitchell told him "we have a very tough problem" because Hoover prohibited an FBI interview of millionaire toy manufacturer Louis Marx, Ellsberg's father-in-law and Hoover's close friend. Moreover, testifying earlier before the Ervin committee, presidential aide Richard Moore said Mr. Nixon told him this year the White House itself investigated the Ellsberg case because of Hoover's friendship with Marx.

The facts are that Marx was interviewed by the FBI. A proposed interview had been disapproved by Hoover, but Charles Brennan, then an assistant director, inadvertently overlooked Hoover's disapproval and authorized the interview (which turned out to be unproductive). Marx told the FBI

agent he disagreed philosophically with his super-dovish son-in-law and did not even know his whereabouts.

When he learned this, an outraged Hoover banished Brennan to a field office (a transfer overruled by Mitchell, as Ehrlichman testified). The bizarre case reveals the petty tyranny common in Hoover's later years. But even Hoover's toughest critics could not claim it remotely affected investigating the Ellsberg case.

Nor would those FBI officials critical of Hoover's latter-day caution have dreamed recommending a burglary of the psychiatrist's office. On July 20, 1971, Ellsberg's psychiatrist, Dr. Lewis J. Fielding, refused to talk to FBI agents because of the doctor-patient relationship. Under longstanding procedure, when refused the doctor's records, the FBI dropped the matter.

Accordingly, when Ehrlichman initiated the August memorandum authorizing a "covert operation," he was taking action impermissible in the FBI no matter what director Hoover's attitude. The FBI learned of the Sept. 3 break-in this past spring.

Some FBI officials feel that the Plumbers were running out of business and concocted the Fielding bag job as busy work. Whether they did or not, the Nixon-Ehrlichman explanation for taking over FBI duties had no basis in fact. The occurrence of this distortion of truth and the crime that resulted from it is one more severe indictment of Richard M. Nixon's administration.

Publishers-Hall Syndicate

The Washington Post Times Herald ^{A-31} _____
 The Evening Star (Washington) _____
 The Sunday Star (Washington) _____
 Daily News (New York) _____
 Sunday News (New York) _____
 New York Post _____
 The New York Times _____
 The Daily World _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____

Date JUL 20 1973

See info re Liddy visit to Ellsberg's psychiatrist 7/20/71

(TRUE COPY)

MR. TOLSON

8/3/71

W. C. Sullivan

cc Mr. Sullivan
Mr. Bishop
Mr. Brennan
Mr. Day

GEORGE GORDON LIDDY
White House Staff Member

Mr. Liddy came by to see me yesterday, to introduce himself and advise that he had been designated as Liaison man between the White House and the Intelligence Evaluation Committee of the Internal Security Division, Department of Justice.

Mr. Liddy reminded me that he was a former FBI Agent, having worked in the Bureau from September, 1957, to September, 1962. The file shows this is correct, and that he had a good record.

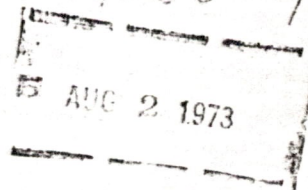
Mr. Liddy explained that his interest was not in the field of policy, but on a working level. He said the purpose of his work was to facilitate the mechanical aspects of the Intelligence Evaluation Committee, as they relate to the White House. He said he naturally would expect to be making frequent trips between the White House and the Internal Security Division of the Department.

He had no requests to make and his visit ended pleasantly.

RECOMMENDATION -

For your information.

WCS:CSH (5)



True Copy

FILED

MR. TOLSON

8/3/71

W. C. Sullivan

cc Mr. Sullivan
Mr. Bishop
Mr. Brennan
Mr. Ray

GEORGE GORDON LIDDY
White House Staff Member

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He had no requests to make and his visit ended pleasantly.

RECOMMENDATION -

For your information.

WCS:CDH (5)

ENCLOSURE

65-74060-4460

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. E. S. Miller

1 - Mr. E.S. Miller
1 - Mr. R.E. Gebhardt

DATE: 7/27/73

FROM : W. R. Wannall *WRW*

1 - Mr. Hagy

SUBJECT: G. GORDON LIDDY
INFORMATION CONCERNING

Assoc. Dir. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. ☒ _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Cong. Serv. _____
Corr. & Crm. _____
Research _____
Press Off. _____
Telephone Rm. _____
Director Sec'y _____

The 7/26/73 issue of the "Washington Post" set forth an article by Rowland Evans and Robert Novak entitled "An FBI Tale That Doesn't Wash" in which reference was made to a 1971 "secret" meeting between G. Gordon Liddy and FBI officials. The Director inquired "Is information re Liddy visit true?".

Attached is copy of memorandum W.C. Sullivan to Mr. Tolson dated 8/3/71 captioned "George Gordon Liddy, White House Staff Member" setting forth the fact that Liddy came to see Sullivan on 8/2/71 to introduce himself and advise that he had been designated as Liaison man between the White House and the Intelligence Evaluation Committee of the Internal Security Division, Department of Justice. Since this is the only official visit of Liddy to FBI Headquarters recorded in FBI files, it is presumed that this is the alleged secret meeting referred to in the "Washington Post" article.

On 5/30/73 in connection with a similar question raised by former Acting Director Ruckelshaus, SAC Charles D. Brennan submitted a memorandum to Assistant Director Miller dated 5/30/73 in which SAC Brennan advised that he met Liddy in either July or August, 1971, subsequent to initial meeting between Liddy and W.C. Sullivan, who was then Assistant to the Director. Liddy was referred to Brennan, who was then Assistant Director of the Intelligence Division by Sullivan and Brennan and Liddy subsequently had lunch together.

During Mr. Brennan's contact with Liddy, Liddy explained that the White House was greatly concerned about leaks in Government and wanted, in particular, to insure that the FBI was doing everything possible in investigating the leak of the Pentagon Papers. Subsequent to the lunch, Mr. Brennan introduced Liddy to Inspector W.R. Wannall, who was then Chief of the section handling the Pentagon Papers case, and to Supervisor J.R. Wagoner, who was supervising the case. Liddy reiterated to them the White House interest in the matter and was assured the FBI was pursuing the investigation vigorously.

Enclosure
JRW:tdp (4)

REC-95 74-60-4400
5 AUG 2 1973
CONTINUED - OVER
5-11
65-74060

84 AUG 10 1973

Memorandum to Mr. E.S. Miller
RE: G. GORDON LIDDY

ACTION:

None. For information.

See

see

He

done **EM**

14



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20535

June 12, 1973

In Reply, Please Refer to
File No.

DANIEL ELLSBERG;
ANTHONY JOSEPH RUSSO, JR.

This memorandum reports information furnished by Assistant Attorney General Henry E. Petersen concerning the sequence of events covering transmittal of information from Earl Silbert, United States Attorney's Office, to Judge Byrne in Los Angeles about the burglary of Dr. Lewis Fielding's office.

ENCLOSURE

65-74060-4461

FEDERAL BUREAU OF INVESTIGATION

Date 6/12/73


1

Assistant Attorney General HENRY E. PETERSEN was advised June 11, 1973, he was being contacted at the request of Special Prosecutor Cox regarding his knowledge of the sequence of events covering the transmittal of information about the burglary of Dr. LEWIS FIELDING'S office from EARL SILBERT, U. S. Attorney's Office, to Judge BYRNE in Los Angeles. Mr. PETERSEN furnished the following:

Mr. PETERSEN received a telephone call from SILBERT April 16, 1973, in which SILBERT told him he had received information during the course of an interview with JOHN DEAN or with DEAN's attorneys, which indicated "Hunt and Company" had burglarized FIELDING's office. SILBERT said he would send him a memo on the matter. DEAN's lawyers insisted the information was not to be used for lead purposes directly or indirectly. The information had been furnished by DEAN's attorneys solely for purposes of determining the Government's interest in granting DEAN immunity. SILBERT's memo dated April 16 and consisting of one paragraph was received the next day.

Mr. PETERSEN, upon receipt of the memo, sent it with instructions to Deputy Assistant Attorney General KEVIN MARONEY to check the information out and determine if the Federal Bureau of Investigation (FBI) had any evidence of a substantive nature that might have emanated from such a source.

On April 18, Mr. PETERSEN received a telephone call from President NIXON at Camp David and discussed with him matters dealing with the Watergate investigation. The President then asked if there were any further developments. Mr. PETERSEN told the President about the burglary of Dr. FIELDING's office. The President instructed Mr. PETERSEN not to have anything further to do with the matter. As Mr. PETERSEN recalls the conversation, the President then said, "That's a national security matter and I know about that." The President did not elaborate and Mr. PETERSEN indicated he did not pursue the matter. The President did not specifically say he knew

On 6/11/73 at Washington, D. C. File # WFO 65-11613
by  Date dictated 6/12/73

about the burglary. Mr. PETERSEN thereupon telephoned SILBERT and told him the President said to have nothing to do with the burglary.

On April 19, Mr. PETERSEN received a memo from Deputy Assistant Attorney General MARONEY advising a check of FBI and Department of Justice files was negative. The files did show the FBI conducted an interview with Dr. FIELDING which produced negative results. Mr. MARONEY indicated that in a purely legal context, in his judgment, information about the burglary was not producible under the rule in Brady Vs. The United States.

Mr. PETERSEN pondered a course of action to follow in conjunction with three relevant factors:

1. The President had instructed him to do nothing more with the information about the burglary.

2. Was the information legally producible under the Brady Rule?

3. Even if, in the strict sense, the information was not legally producible, would not a disclosure of this information at a later date cause an even more severe public reaction than to disclose the information now?

Mr. PETERSEN asked himself what he would do if this was a less important case and finally decided the information had to be turned over to the Court.

On April 25, 1973, Mr. PETERSEN discussed the burglary with Attorney General KLEINDIENST. He told Mr. KLEINDIENST he had a real problem and did not know what to do with it, explaining that while not strictly related to Watergate it did arise out of that investigation. Later the same day, the Attorney General requested an opinion from the Solicitor General on the problem, expressed in hypothetical terms. The Solicitor General, sharing Mr. PETERSEN's view, said the matter was producible. Mr. PETERSEN was not present during the discussion with the Solicitor General.

Mr. KLEINDIENST and Mr. PETERSEN both concluded the matter must be brought again to the attention of the

President. If the President did not authorize disclosure to the Court both Mr. KLEINDIENST and Mr. PETERSEN determined they would submit their resignations. Mr. PETERSEN gave the Attorney General copies of the SILBERT and MARONEY memos.

The Attorney General consulted with the President on April 25, returned to the Department of Justice and told Mr. PETERSEN the President agreed the matter should be made known to the Court. Mr. PETERSEN then authorized disclosure and the information was sent to Mr. DAVID NISSEN, the Government's Prosecutor in the ELLSBERG Case. Mr. NISSEN received the information about the burglary April 26, 1973.

F B I

Date: 6/12/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

Mr. Felt	_____
Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Gebhardt	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, E.S.	_____
Mr. Soyars	_____
Mr. Thompson	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Baise	_____
Mr. Barnes	_____
Mr. B.W. Tice	_____
Mr. Herington	_____
Mr. Conmy	_____
Mr. Mintz	_____
Mr. Eardley	_____
Mrs. Hogan	_____

TO: ACTING DIRECTOR, FBI (65-74060)
(ATTN: INTELLIGENCE DIVISION)

FROM: SAC, WFO (65-11613)

MC LEK
CI - 3

Re Bureau airtel to WFO 6/7/73 directing interview of Assistant Attorney General PETERSEN and WFO teletype to Bureau and Los Angeles, 6/11/73, reporting results of that interview.

Enclosed for the Bureau are five copies and for Los Angeles two copies of an LHM captioned "DANIEL ELLSBERG; ANTHONY JOSEPH RUSSO, JR.," dated as above, reporting interview 6/11/73, with Assistant Attorney General PETERSEN.

For the information of the Bureau, Assistant Attorney General PETERSEN advised 6/11/73, he had no knowledge about how E. HOWARD HUNT came into possession of FBI documents described in referenced Bureau airtel. Mr. PETERSEN, in a general comment on this question, said he saw nothing wrong with the Department of Justice furnishing the White House with information developed through investigation.

UACB, WFO will interview former Attorney General KLEINDIENST about transmittal of information on the burglary of Dr. LEWIS FIELDING'S office to Judge BYRNE in Los Angeles.

ENCLOSURE

- 2- Bureau (Enc. 5)
- 2- Los Angeles (105-27952) (Enc. 2)
- 1- WFO

CAR:th
(5)

21 JUL 9 1973

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

U.S. Government Printing Office: 1972 - 455-574

FBI

Date:

6/27/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

Mr. Felt	_____
Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Gebhardt	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, E.S.	_____
Mr. Soyars	_____
Mr. Thompson	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Baise	_____
Mr. Barnes	_____
Mr. Bowers	_____
Mr. Herington	_____
Mr. Conmy	_____
Mr. Mohr	_____
Mr. Eardley	_____
Mrs. Hogan	_____

TO: ACTING DIRECTOR, FBI (65-74060)
(ATTN: INTELLIGENCE DIVISION)

FROM: SAC, WFO (65-11613)

MC LEK

Re WFO airtel to Bureau and Los Angeles 5/25/73 enclosing copies of an LHM dated 5/25/73 and captioned "DANIEL ELLSBERG; ANTHONY JOSEPH RUSSO, JR." and which reported review of certain files and documents found at the Department of Transportation (DOT) and which were in the possession of EGIL KROGH at the time of his resignation as Undersecretary of Transportation.

Enclosed for the Bureau are five copies and for Los Angeles two copies of an FD-302 reporting review of additional files and documents found at DOT and in the possession of KROGH at the time of his resignation as Undersecretary of Transportation.

The Bureau and Los Angeles are requested to add enclosed FD-302's to content of their copies of referenced LHM. Material described in enclosed FD-302 does not appear to have any relationship to MC LEK case. WFO is adding copy of enclosed FD-302 to its copy of referenced LHM.

ENCLOSURE 5
2- Bureau (Enc 5)
2- Los Angeles (105-27952) (Enc 2)
1- WFO

CAR:tsm
(5)

acc delivered
to White Keyman
SFO 7/13/73
JPM

REC-38

5 AUG 2 1973

Approved: _____

Sent _____ M Per _____

Special Agent in Charge

U.S. Government Printing Office: 1972 - 455-574

84 AUG 7 1973

Mr. Archibald Cox

You will be furnished the results of these interviews as received.

Sincerely yours,

William D. Ruckelshaus
Acting Director

Enclosure

NOTE:

Interviews of Deputy Assistant Attorney General Kevin T. Maroney, former Attorney General Richard G. Kleindienst, and the Solicitor General have been approved by the Acting Director. Instructions relative to the conduct of these interviews will be furnished WFO by separate communication. It is noted cover airtel to WFO's memorandum, dated 6/12/73, sets forth information that Assistant Attorney General Petersen had no knowledge of how E. Howard Hunt came into possession of certain FBI documents related to the Ellsberg investigation. In our reinterview of Mr. Petersen, we intend to advise him that weekly summaries of the Ellsberg investigation were furnished to The White House by us, and on each occasion, the Attorney General, Deputy Attorney General, and the Assistant Attorney General, Internal Security Division, were advised of the transmission of this data to The White House. Under the circumstances, Mr. Petersen will be questioned as to the basis for the apparent sending of FBI material to The White House by the Internal Security Division, and an attempt will also be made to ascertain the specific documents which were sent, why they were sent, and who authorized the sending, as well as the identification of the person to whom they were delivered. If Mr. Petersen is unable to furnish this information, interviews of other Departmental officials will be conducted as approved by the Acting Director on memorandum from E. S. Miller to Mr. Felt, 6/1/73, captioned "Daniel Ellsberg" (attached).

FBI

Date:

6/29/73

Mr. Baker _____
Mr. Callahan _____
Mr. Cleveland _____
Mr. Conrad _____
Mr. Gebhardt _____
Mr. Jenkins _____
Mr. Marshall _____
Mr. Miller, L.S. _____
Mr. Soyars _____
Mr. Thompson _____
Mr. Walters _____
Tele. Room _____
Mr. Boise _____
Mr. Barnes _____
Mr. Bowers _____
Mr. Herington _____
Mr. Conny _____
Mr. Mintz _____
Mr. Eardley _____
Mrs. Hogan _____

Transmit the following in
AIRTEL

(Type in plaintext or code)

Via

(Priority)

TO: ACTING DIRECTOR, FBI (65-74060)
(ATTENTION: INTELLIGENCE DIVISION)

FROM: SAC, WFO (65-11613)

U.S. vs ANTHONY J. RUSSO, JR.
and DANIEL ELLSBERG

Re Bureau airtel to WFO 6/15/73.

Enclosed for the Bureau are five copies of an FD-302 reporting interview with Assistant Attorney General HENRY E. PETERSEN concerning his knowledge of an alleged receipt at the Department of Justice of certain film and possibly a camera belonging to the Central Intelligence Agency (CIA) which were used in connection with the burglary of the office of DANIEL ELLSBERG'S psychiatrist.

Information furnished by Assistant Attorney General PETERSEN will later be incorporated in an appropriate LHM to be prepared by WFO in connection with investigation to determine if violations of Federal statute were involved in the use of CIA material by the Special Investigation Unit of the White House.

REC-1165 74060-4463

ENCLOSURE

2 - Bureau (Enc. 5)
1 - WFO

CAR:djw
(3)

1 cc airtel
2 cc LHM
del 706 D
JRW

EX-105

5 AUG 2 1973

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

U.S. Government Printing Office: 1972 - 455-574

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 6/26/73

Assistant Attorney General HENRY E. PETERSEN, Criminal Division, Department of Justice, furnished the following information concerning an allegation film and possibly a camera belonging to the Central Intelligence Agency (CIA) and which were used in connection with the burglary of the office of DANIEL ELLSBERG's psychiatrist, had been sent to the Department of Justice. Mr. PETERSEN advised as follows:

Neither film nor camera allegedly used in connection with the burglary of the office of ELLSBERG's psychiatrist was sent to the Department of Justice.

In connection with the Watergate investigation, the CIA had previously furnished to the Department two packages of documents, one package under cover letter from CIA to the Attorney General, the other package under cover letter from the CIA to Assistant Attorney General PETERSEN. The packages contained biographic summaries on people having some relationship with E. HOWARD HUNT; copies of certain documents previously furnished to the Federal Bureau of Investigation (FBI); and Xeroxed copies of photographs.

EARL SILBERT of the United States Attorney's Office and Mr. PETERSEN examined the Xeroxed copies of the photographs in connection with the Watergate investigation. There were six or seven Xeroxed copies of photographs. The photographs were of what appeared to be the interior of a motel room. One photograph showed G. GORDON LIDDY standing in a parking lot. The photograph of the parking lot also showed two signs bearing the names, "ROTHBURG" (phonetic) and "FIELDING". The names meant nothing to those familiar with the Watergate investigation and at that time had no impact on the Watergate case.

After JOHN DEAN furnished information to EARL SILBERT about the burglary of the office of ELLSBERG's psychiatrist (April 15, 1973) the Department double-checked the FBI file. This was done sometime between April 18 - 20, 1973, and it was then discovered Dr. FIELDING had been interviewed by the FBI.

Interviewed on 6/25/73 at Washington, D. C. File # WFO 65-11613
by [REDACTED] /djw Date dictated 6/26/73

WFO 65-11613

2

It was at that time the Department first recognized the significance of the photograph of the parking lot showing a sign with FIELDING's name on it.

1 - Eardley
1 - Mr. E. S. Miller
1 - Mr. R. E. Gebhardt
1 - Mr. J. J. Dolan
1 - Mr. J. R. Wagoner

July 10, 1973

Mr. Archibald Cox
Special Prosecutor

Director, FBI

BY COURIER SERVICE

DANIEL ELLSBERG

Reference is made to your letter dated May 30, 1973.

Enclosed are two copies each of three FD-302's setting forth the results of an interview on June 28, 1973, of Mr. John Martin, Chief, Analysis and Evaluation Unit, Internal Security Section, Criminal Division, Department of Justice and an interview of Assistant Attorney General Henry E. Petersen, Criminal Division, Department of Justice on June 25, 1973.

The interview of Mr. Petersen concerns his knowledge of the alleged furnishing of film and possibly a camera used in connection with the burglary of the office of Ellsberg's psychiatrist to the Department of Justice. The interview of Mr. Martin concerns this same area of inquiry as well as Mr. Martin's knowledge of the furnishing of raw FBI material to The White House as evidenced by material recovered in the office of E. Howard Hunt, Jr.

In connection with the allegation that film and possibly a camera belonging to the Central Intelligence Agency used in connection with the burglary of the office of Ellsberg's psychiatrist had been sent to the Department of Justice, it is noted that both Mr. Petersen and Mr. Martin make reference to copies of various documents furnished to the Federal Bureau of Investigation. The documents referred to by Mr. Petersen and Mr. Martin were furnished the FBI in connection with the Watergate investigation. These documents consisted of biographical information regarding the Watergate defendants, their relationship with the Central Intelligence Agency (CIA) and CIA support rendered to E. Howard Hunt, Jr. A review of the original documents furnished the FBI by the CIA fails to indicate that any of these documents included Xerox copies of photographs.

JRW:klj
(8)

SEE NOTE PAGE TWO

MAILED 3
JUL 11 1973
A-FBI

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Baise
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conny
Mr. Mintz
Mr. Arnold
Mr. Holloman

MAIL ROOM

TELETYPE UNIT

Mr. Archibald Cox
Special Prosecutor

We will endeavor to obtain copies of the Xerox copies of photographs from the Department of Justice and continue our efforts to determine who furnished these Xerox copies of photographs to the Department as well as who received them in the Department of Justice.

Enclosures (6)

NOTE:

Interviews of Petersen and Martin were previously approved by the Acting Director.

F B I

Date:

6/29/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Gebhardt	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, E.S.	_____
Mr. Myers	_____
Mr. Thompson	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Baise	_____
Mr. Barnes	_____
Mr. Bowers	_____
Mr. Herington	_____
Mr. Conny	_____
Mr. Mintz	_____
Mr. Eardley	_____
Mrs. Hogan	_____

TO: ACTING DIRECTOR, FBI (65-74060)
(ATTN: INTELLIGENCE DIVISION)

FROM: SAC, WFO (65-11613) (P)

UNITED STATES VS. ANTHONY J. RUSSO, JR.
AND DANIEL ELLSBERG

Re Bureau Airtel to WFO, 6/15/73.

Enclosed for the Bureau are five copies of an FD-302 reporting interview with JOHN MARTIN, Department of Justice, concerning his knowledge about an allegation film and possibly a camera used in connection with the burglary of the office of DANIEL ELLSBERG's psychiatrist, were delivered to the Department.

WFO will include results of interview with JOHN MARTIN, Department of Justice, in an LHM to be submitted in connection with investigation of possible violation of federal statutes covering conversion of government property and conspiracy in the burglary of the office of ELLSBERG's psychiatrist.

2 cc LHM to Archival
Circ 6560 by Baker 7/10/73

REC-11

AUG 2 1973

EX-105

ENCLOSURES

2-Bureau (Enc. 5)
1-WFO

CAR:mah/cam
(3)

Approved:

Sent

M

Per

Special Agent in Charge

U.S. Government Printing Office: 1972 - 455-574

84 AUG 13 1973

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 6/29/73

Mr. JOHN MARTIN, Chief, Analysis and Evaluation Unit, Internal Security Section, Criminal Division, Department of Justice was advised investigation was being conducted concerning an allegation film and possibly a camera used in connection with a burglary of the office of DANIEL ELLSBERG's psychiatrist, had been delivered to the Department of Justice. Mr. MARTIN furnished the following information:

Mr. MARTIN formerly served as Chief, Analysis and Evaluation Section, Internal Security Division (ISD) of the Department and in this position, he was closely associated with the ELLSBERG case. Mr. MARTIN however, has no knowledge that film or a camera used in the burglary of the office of ELLSBERG's psychiatrist was delivered to the Department.

Mr. MARTIN first learned of the burglary when Deputy Assistant Attorney General KEVIN T. MARONEY contacted him (April 1973) and asked if Mr. MARTIN had any information indicating such a thing had occurred. Mr. MARTIN assured Mr. MARONEY that based on his own close association with the ELLSBERG investigation, he could state categorically there was nothing in the investigation to indicate burglary had been committed. Mr. MARONEY instructed Mr. MARTIN to check this out also with Mr. NISSEN, the Government's prosecutor in the ELLSBERG trial and to submit a memo. This was done as directed.

Subsequently a question also arose in the Department about some material that reportedly had been previously sent to the Department by the Central Intelligence Agency. The material was located, examined, and found to contain copies of various memoranda previously furnished to the Federal Bureau of Investigation, and several Xeroxed photographs. (The Xeroxed copies of the photographs were found to be related to the burglary). Mr. MARTIN said this was the first time he was aware of the fact that these materials even existed.

Interviewed on 6/28/73

at Washington, D.C.

File # WFO 65-11613

and

CAR:mah/cam Date dictated 6/29/73

F B I

Date:

6/29/73

Transmit the following in _____

(Type in plaintext or code)

Via AIRTEL

TO: ACTING DIRECTOR, FBI (65-74060) (Priority)
 (ATTN: INTELLIGENCE DIVISION)

FROM: SAC, WFO (65-11613) (P)

UNITED STATES VS. ANTHONY J. RUSSO, JR.
 AND DANIEL ELLSBERG

Re Bureau Airtel to WFO 6/15/73.

Enclosed for the Bureau are five copies of an FD-302 reporting interview with JOHN MARTIN, Department of Justice, concerning his knowledge about whether former Assistant Attorney General ROBERT C. MARDIAN delivered or authorized delivery of FBI information or material to the Special Investigation Unit at the White House.

In conjunction with interview reported in enclosure, JOHN MARTIN, Department of Justice, furnished the following additional information concerning handling of FBI material in the Internal Security Division (ISD) of the Department and which is responsive to specific questions raised in referenced Bureau airtel.

1) It was not necessarily a procedure for ISD personnel to initial incoming FBI documents. Rather, as indicated in enclosure, the names of ISD personnel having an interest in the material were inscribed on the document; Xeroxed copies were then made and sent to each designated recipient. The original was sent to the Departmental files. Recipients could retain, destroy or return their copies to Departmental files. MARTIN noted there was wide dissemination of material within ISD and while everyone was careful about handling documents, copies were "runoff" for people within ISD who had interest in the information.

2) MARTIN was requested to determine if the Department has retained FBI material sent to ISD, copies of

ENCLOSURE 5

2-Bureau (Enc. 5)
 1-WFO

CAR:mah
 (3)

REC-11

5 AUG 2 1973

Approved: _____

Sent _____

M

Per _____

Special Agent in Charge

U.S. Government Printing Office: 1972 - 455-574

Mr. Felt	_____
Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Gebhardt	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, L.S.	_____
Mr. Soyars	_____
Mr. Thompson	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Boise	_____
Mr. Barnes	_____
Mr. Egan	_____
Mr. Herington	_____
Mr. Conmy	_____
Mr. Mintz	_____
Mr. Eardley	_____
Mrs. Hogan	_____

84 AUG 13 1973

2 cc LHM 7060 JRW

WFO 65-11613

which were found in HUNT's office. He will check and advise WFO regarding the retention of these documents and whether the documents record any further dissemination by the Department.

3) MARTIN indicated it was not the normal procedure for ISD to disseminate FBI documents outside the Department. MARTIN would not have so disseminated FBI material without first clearing the action with Assistant Attorney General MARDIAN. Specifically, MARTIN could only recall one instant when FBI documents were disseminated to the White House and as described in enclosure, this occurred in August 1971, when FBI Headquarters sent FD-302s to the White House in response to a specific request.

The normal procedure followed at ISD is to record dissemination of documents on the original documents which is retained in files on a buck slip attached to the original document.

4) MARTIN's response to question number 4 is contained in the enclosed FD-302.

5) MARTIN's response to question number 5 is contained in the enclosed FD-302.

LEAD

WASHINGTON FIELD

AT WASHINGTON, D.C. WFO will determine from JOHN MARTIN whether the Department of Justice has retained FBI documents, copies of which were located in the safe belonging to E. HOWARD HUNT and will advise the Bureau.

FEDERAL BUREAU OF INVESTIGATION

1

6/29/73

Date of transcription

Mr. JOHN MARTIN, Chief, Analyst¹⁵ and Evaluation Unit, Internal Security Section, Criminal Division, Department of Justice, was advised investigation was being conducted at the specific request of Special Prosecutor, ARCHIBALD COX to determine if Departmental officials know whether former Assistant Attorney General ROBERT C. MARDIAN delivered or authorized delivery of any Federal Bureau of Investigation (FBI) information or material related to the DANIEL ELLSBERG, Watergate, International Telephone and Telegraph or DONALD SEGRETTE investigations, to the Special Investigation Unit, the so-called "Plumbers", at the White House. Mr. MARTIN furnished the following information:

Mr. MARTIN formerly served as Chief, Analyst¹⁵ and Evaluation Section, Internal Security Division (ISD) of the Department. In that capacity he was closely associated with the DANIEL ELLSBERG investigation. (Mr. MARDIAN headed up ISD).

Contact with Special Investigation Unit

Briefings were held, beginning in late July, early August 1971, about the ELLSBERG investigation. These were not regularly scheduled affairs, and were called as the need arose, to apprise individuals of the various Government agencies engaged in the investigation as to pertinent development. Sometimes these briefings were held at the Department of Defense, at other times at Division 5, FBI Headquarters, or else in Mr. MARDIAN's office. They were conference-type affairs - and when held in MARDIAN's office, Mr. MARTIN was called upon from time to time to furnish a summation on some matter then under consideration. G. GORDON LIDDY and DAVID YOUNG were the only White House Staff people Mr. MARTIN can recall attending the meetings in MARDIAN's office. He has never met E. HOWARD HUNT and met EGIL KROGH only once and then on a matter not connected with the ELLSBERG investigation.

Interviewed on 6/28/73

at Washington, D.C.

WFO# 65-11613

CAR:mah Date dictated 6/29/73

Dissemination of Information to the White House

In July 1971, there was an exchange of letters between FBI Headquarters and Mr. KROGH of the White House in which Mr. KROGH indicated White House interest in the ELLSBERG investigation and this exchange resulted in FBI Headquarters submitting weekly summaries of the investigation to the White House, directed to the attention of H.R. HALDEMAN and KROGH. Also in July or August 1971, and in response to a direct request from the White House, the FBI submitted to the White House, a summary which included a number of reports of interviews conducted (FD-302s). Mr. MARTIN believes the Department also received a copy of this summary and FD-302s.

In August 1971, the Department prepared a briefing book on the investigation which was then forwarded under MARDIAN's signature to the White House, directed to the attention of Mr. HENRY KISSINGER, and KROGH. Additionally from time to time briefing memoranda were also prepared by the Department recording the status of the investigation and these memoranda were sent to the Attorney General with copies directed to the White House usually to KROGH.

Documents found in HUNT's Safe

With specific reference to FBI material found in HUNT's safe, Mr. MARTIN has no knowledge about how HUNT obtained possession of this material. He has no personal knowledge MARDIAN ever gave any FBI material to any member of the Special Investigation Unit of the White House. Mr. MARTIN at that time regarded LIDDY and YOUNG only as White House Staff people keeping abreast of domestic matters and reporting to the White House. He was unaware the Unit was conducting independent investigation at the time, in fact, he was unaware of the existence of the Unit. He first learned of the so-called "Plumbers" from newspaper stories.

Mr. MARTIN's policy was never to release anything without first clearing it with MARDIAN and he has no recollection that LIDDY or YOUNG ever made any effort to obtain FBI material. He does not recall that LIDDY or YOUNG ever tried to get FBI documents from him nor does he have any recollections that he

ever gave them copies of FBI material. Mr. MARTIN feels the only explanation, in fact an almost obvious one, is that the FBI material in HUNT's possession did come from ISD. Copies of FBI material were widely disseminated within ISD and were available to anyone in ISD with an interest in the investigation.

Commenting on any possible significance in the fact FBI material found in HUNT's safe consisted in most part of reports of interviews (FD-302s) with ELLSBERG's girlfriend, YVONNE SVENLE, his former wife, CAROL ELLSBERG and former Psychiatrist, Dr. LEWIS FIELDING, and that these interviews were conducted prior to the burglary, Mr. MARTIN said the names of YVONNE SVENLE and CAROL ELLSBERG were constantly being mentioned in discussions of the case as potential witnesses against ELLSBERG. He had no recollection of any discussion with LIDDY or YOUNG about ELLSBERG's Psychiatrist, nor that they indicated any unusual interest in Dr. FIELDING.

With specific reference to an FBI, Los Angeles Division Report, dated July 29, 1971, a copy of which was in HUNT's possession with the names "DOHERTY, MC GRATH, DAVITT, YATES, CLARKSON", inscribed on the first page, Mr. MARTIN advised as follows:

At the time of the ELLSBERG investigation, DOHERTY, MC GRATH, DAVITT, YATES and CLARKSON were also associated with ISD. DOHERTY is a former Deputy Assistant Attorney General then in charge of Intelligence Evaluation; MC GRATH was Special Assistant to MARDIAN; DAVITT was Chief of the Criminal Section, ISD and is now Chief, Internal Security Section, Criminal Division; YATES and CLARKSON were Departmental Attorneys working for MARTIN.

Incoming FBI reports, and the Department received only one copy of each, were marked for dissemination within ISD by inscribing the names of each recipient on the first page of the report. Xeroxed copies of the report were then sent to each disseminated recipient to be retained by that individual, destroyed or returned to the Departmental files. The original copy of the report was returned to Departmental files. Copies of the July 29, report were apparently designated for dissemination within the Internal

WFO 65-11613

4

Security Division to [REDACTED]

[REDACTED] all of whom had legitimate interest in the investigation, for their information and assistance.

F B I

Date: 7/17/73

Transmit the following in _____

(Type in plaintext or code)

Via _____

AIRTEL

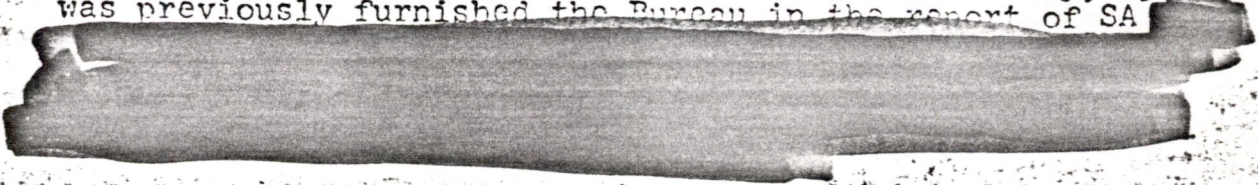
AIR MAIL-REGISTERED

(Priority)

TO: DIRECTOR, FBI
FROM: SAC, LOS ANGELES (105-27952)
RE: DANIEL ELLSBERG
(BURGLARY OF DOCTOR LEWIS J.
FIELDING'S OFFICE)

Re Bureau airtel dated 7/10/73.

Enclosed for the Bureau are five copies of a Letterhead Memorandum, dated and captioned as above, containing results of an investigation conducted in Los Angeles at the request of the Watergate Special Prosecution Force. The information contained in the Letterhead Memorandum relevant to an investigation conducted in Los Angeles in July, 1972, was previously furnished the Bureau in the report of SA



③ - Bureau (Enc. 5) (AIR MAIL-REGISTERED)
~~(1-139-1039)~~
2 - Los Angeles
(1-139-306)

GSB/jmp
(5)

EXHIBIT COPY

Approved: _____
Special Agent in Charge

Sent _____

M

Per _____



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Los Angeles, California

July 17, 1973

In Reply, Please Refer to
File No.

DANIEL EILSBERG
BURGLARY OF DOCTOR LEWIS J. FIELDING'S OFFICE

The investigation attached hereto was conducted by Special Agents of the FBI in July, 1972, and concerns room records and telephone calls recovered from the Beverly Hilton Hotel, Beverly Hills, California.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

DANIEL ELLSBERG

Investigation in Los Angeles determined that the [REDACTED] telephone [REDACTED] to whom a Mr. H. Hunt directed two telephone calls on April 20, 1972, was actually one [REDACTED]
[REDACTED]

An interview of [REDACTED] was conducted by Special Agents of the FBI on July 3, 1972, and is attached hereto.

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 7/5/72

[REDACTED] also known as [REDACTED] advised of the official identity of Agents [REDACTED] and [REDACTED]. She was advised that she was being interviewed in connection with an investigation into the burglary of the National Democratic Headquarters in Washington, D. C., which took place on June 17, 1972.

[REDACTED] was asked whether she was acquainted with EVERETT HOWARD HUNT and GORDON LIDDY. [REDACTED] advised that she was, and that she knew the men by those names, although some people called HUNT, "HOWIE".

[REDACTED] first met HUNT [REDACTED] when he was visiting [REDACTED]. [REDACTED] does not actually recall the meeting, but has since been told that it was on that date by Mr. HUNT. Mr. LIDDY was with Mr. HUNT on this occasion.

Interviewed on 7/3/72 at Los Angeles, California File # Los Angeles 139 306

Date dictated 7/6/72

DANIEL ELLSBERG

On July 16, 1973, [REDACTED]
[REDACTED] Beverly Hilton Hotel, Beverly Hills,
California, conducted a search of room records for the period
September 1 - 6, 1973, and was unable to find any reference
or listing to the following names and/or aliases:

[REDACTED]

Similarly, [REDACTED] did not locate any records of
telephone calls made by or to the above listed names or aliases.

FBI

Date: 7/17/73

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIR MAIL-REGISTERED
(Priority)

TO: DIRECTOR, FBI
FROM: ~~SA~~ *SSC*, LOS ANGELES (105-27952)
RE: DANIEL ELLSBERG
(BURGLARY OF DOCTOR LEWIS J.
FIELDING'S OFFICE)

Re Bureau airtel dated 7/10/73.

Enclosed for the Bureau are five copies of a Letterhead Memorandum, dated and captioned as above, containing results of an investigation conducted in Los Angeles at the request of the Watergate Special Prosecution Force. The information contained in the Letterhead Memorandum relevant to an investigation conducted in Los Angeles in July, 1972 was previously furnished the Bureau in the report of SA [REDACTED]

- ③ - Bureau (Enc. 5) (AIR MAIL-REGISTERED)
(1-139-4089)
2 - Los Angeles
(1-139-306)

GSB/jmp
(5)

REC-38

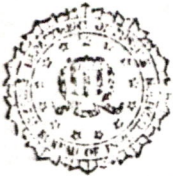
65-74060
7-3
20 JUL 21 1973

4466

J.R. [Signature]
FBI

Approved: 84 AUG 8 1973
Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Los Angeles, California

July 17, 1973

In Reply, Please Refer to
File No.

DANIEL ELLSBERG
BURGLARY OF DOCTOR LEWIS J. FIELDING'S OFFICE

The investigation attached hereto was conducted by Special Agents of the FBI in July, 1972, and concerns room records and telephone calls recovered from the Beverly Hilton Hotel, Beverly Hills, California.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

65-7406-4466
[ENCLOSURE]

DANIEL ELLSBERG

Investigation in Los Angeles determined that the [REDACTED] telephone [REDACTED] to whom a Mr. H. Hunt directed two telephone calls on April 26, 1972, was actually one [REDACTED]
[REDACTED]

An interview of [REDACTED] was conducted by Special Agents of the FBI on July 3, 1972, and is attached hereto.

DERAL BUREAU OF INVESTIGATION

Date of transcription 7/6/72

1

[REDACTED] was advised of the official identities of Special Agents [REDACTED] and [REDACTED]. She was advised that she was being interviewed in connection with an investigation into the burglary of the National Democratic Headquarters in Washington, D. C., which took place on June 17, 1972.

[REDACTED] was asked whether she was acquainted with EVERETT HOWARD HUNT and GORDON LIDDY. [REDACTED] advised that she was, and that she knew the men by those names, although some people called HUNT, "HOWIE".

[REDACTED] first met HUNT on [REDACTED] when he was visiting [REDACTED]. [REDACTED] does not actually recall the meeting, but has since been told that it was on that date by Mr. HUNT. Mr. LIDDY was with Mr. HUNT on this occasion.

[REDACTED]

Interviewed on 7/3/72 at Los Angeles, California File # Los Angeles 139-305

Date dictated 7/6/72

Mr. Archibald Cox
Special Prosecutor

August 3, 1973

Director, FBI

BY COURIER SERVICE

1 - Mr. E.S. Miller
1 - Mr. R.E. Gebhardt
1 - Mr. Hagy

DANIEL ELLSBERG (BURGLARY OF DR. LEWIS
FIELDING'S OFFICE)

Reference is made to my memorandum dated July 2,
1973.

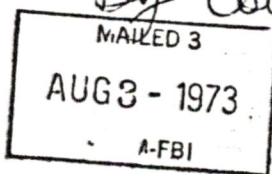
The following inquiry was made in an effort to
determine the method by which the Department of Justice
received Xerox copies of photographs taken of Dr. Fielding's
office by E. Howard Hunt, Jr.

Mr. John Warner, Acting General Counsel, Central
Intelligence Agency (CIA), advised Special Agent Leon F.
Schwartz on August 1, 1973, that information concerning the
above was furnished the Special Prosecutor's office by CIA.
In this respect, you are referred to Volume 3, Tab 8, of
material entitled "Documentation Provided by CIA to Special
Prosecutor Cox." This is a copy of a statement from Mr. Anthony
Golden of Mr. Warner's office attesting to the fact that on
January 3, 1973, he personally delivered to Assistant Attorney
General Henry E. Petersen an envelope containing Xerox copies
of the photographs in question.

According to Mr. Warner, the photographs were
developed by CIA and the originals were furnished to Hunt.
CIA retained Xerox copies of the photographs. Mr. Petersen
was furnished Xerox copies of the Xerox copies retained by
CIA.

As you were previously informed, the FBI did not
receive Xerox copies of these photographs.

JRW:tdp
(6)



REC-3

65-74060-4467

9 AUG 3 1973

EM

UG 8 1973

TELETYPE UNIT ☐

FBI

Date:

7/6/73

Transmit the following in _____
(Type in plaintext or code)

AIRTEL

Via _____
(Priority)TO: ACTING DIRECTOR, FBI (65-74060)
(ATTENTION: INTELLIGENCE DIVISION)

FROM: SAC, WFO (65-11613)

MC LEK

Re Bureau teletype to Los Angeles and WFO under above caption, 6/8/73, directing WFO to interview General ROBERT E. CUSHMAN, U. S. Marine Corps (USMC).

- Enclosed for the Bureau are five copies and for
- Los Angeles two copies of an LHM dated as above and captioned "DANIEL ELLSBERG; ANTHONY J. RUSSO, JR.", reporting interview with General ROBERT E. CUSHMAN, USMC on 6/29/73.

1 airtel / det 6070
2 LHM

see delivered
Philip Heymann
SPD 7/13/73
REC-29 65-74060-4468

- ② - Bureau (Enc. 5)
2 - Los Angeles (105-27952) (Enc. 2)
1 - WFO

EX-103

CAR:djw
(5)

10 JUL -9 1973

84 AUG 13 1973

Approved: _____ Sent _____ M Per _____
Special Agent in Charge



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20535

July 6, 1973

In Reply, Please Refer to
File No.

DANIEL ELLSBERG;
ANTHONY J. RUSSO, JR.

This memorandum reports information furnished by
General Robert E. ~~Gushman~~, Commandant, United States Marine
Corps, concerning a conversation he had in January, 1973,
with John Ehrlichman.

This document contains neither
recommendations nor conclusions of
the FBI. It is the property of
the FBI and is loaned to your agency;
it and its contents are not to be
distributed outside your agency.

ENCLOSURE

65-74060-

4468

FEDERAL BUREAU OF INVESTIGATION

1

7/2/73

Date of transcription

General ROBERT E. CUSHMAN, Commandant, United States Marine Corps, was advised June 29, 1973, Special Prosecutor ARCHIBALD COX requested investigation into all details and ramifications of the burglary of the office of DANIEL ELLSBERG's psychiatrist, Dr. LEWIS FIELDING. The General was informed that according to information available, JOHN EHRLICHMAN called General CUSHMAN in July, 1971, requesting Central Intelligence Agency (CIA) support for E. HOWARD HUNT and that in August, 1971, General CUSHMAN informed EHRLICHMAN that CIA had discontinued that assistance. General CUSHMAN was asked if he had further discussions with EHRLICHMAN concerning CIA support given HUNT during that period of 1971 or discussion with EHRLICHMAN about the burglary of the office of ELLSBERG's psychiatrist. General CUSHMAN advised as follows:

In December, 1972, EARL SILBERT, United States Attorney's Office submitted a request to CIA for information about the agency's relationship with HUNT. The General was asked by CIA to prepare a memorandum concerning his recollection of the request for support given HUNT in 1971. General CUSHMAN submitted his memorandum sometime in January, 1973, advising CIA that to the best of his recollections, although he made no record of the call, either EHRLICHMAN, CHARLES COLSON or JOHN DEAN called him and asked him to give HUNT support, that HUNT was a bona fide employee of the White House and would call to see General CUSHMAN.

General CUSHMAN surmises EHRLICHMAN saw this memorandum because EHRLICHMAN subsequently called General CUSHMAN in January, 1973, and told him his records show that he (EHRLICHMAN) was out of town, in California, in early July, 1971, and he could not remember making a call to the General at that time. EHRLICHMAN asked General CUSHMAN if he remembered the call. General CUSHMAN told EHRLICHMAN he remembered receiving the telephone call but had made no record of it. He told EHRLICHMAN that out of fairness to him he would tear up his memorandum and report he could not remember who at the White House actually called him and asked that assistance be given to HUNT.

Interviewed on 6/29/73 at Arlington, Virginia File # WFO 65-11613
by [REDACTED] Date dictated 6/29/73

JOHN DEAN also called the General about that time and reminded him that he and DEAN had not met by July, 1971.

CIA made a subsequent search of the minutes of daily staff meetings held at CIA and found an entry wherein the General announced to the staff that EHRLICHMAN had called him and informed him HUNT was a member of the White House Staff and was working on security matters. General CUSHMAN concluded the call from EHRLICHMAN was received on or about July 7, 1971, because it was on the next day he brought the matter up at this staff meeting.

At no time during his conversation with EHRLICHMAN in January, 1973, did EHRLICHMAN say anything to General CUSHMAN about a burglary nor did EHRLICHMAN mention ELLSBERG's name. General CUSHMAN first learned of the burglary of Dr. FIELDING's office from the newspapers while the General was in Europe.

General CUSHMAN has had no additional discussion with EHRLICHMAN subsequent to the January, 1973, telephone call about HUNT's activities in 1971, nor has EHRLICHMAN ever discussed with him the burglary of Dr. FIELDING's office.

UNITED STATES GOVERNMENT

Memorandum

TO : The Attorney General

DATE: July 25, 1973

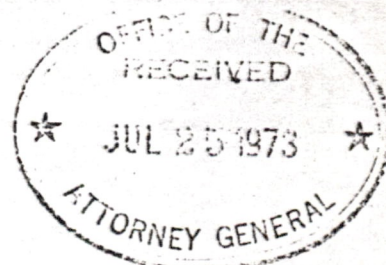
FROM : *[Signature]* Director, FBI

SUBJECT: REQUEST FROM SPECIAL PROSECUTOR'S
OFFICE FOR COPY OF CERTAIN DOCUMENTS
PREVIOUSLY IN THE OFFICE OF FORMER
WHITE HOUSE STAFF MEMBER EGIL KROGH, JR.

Reference is made to FBI memorandum to the Assistant Attorney General, Criminal Division, dated May 11, 1973, captioned, "U. S. vs. Anthony Joseph Russo, Jr., and Daniel Ellsberg."

The referenced memorandum confirmed the telephonic request of Deputy Assistant Attorney General Kevin T. Maroney for FBI Agents to examine documents formerly in the possession of Egil Krogh, Jr., prior to his resignation as Under Secretary of Transportation. These documents were located in Mr. Krogh's Office at the Department of Transportation and were turned over to the FBI by Mr. Frank Stanton, Security Officer of the Department of Transportation. According to Mr. William M. Treadwell, Attorney at Law, 910 16th Street, Northwest, Washington, D. C., he had obtained approval for the turning over of this material to the FBI from Mr. Krogh on May 10, 1973.

In connection with the above-mentioned telephonic request of Mr. Maroney, it was also requested that the Department be advised of the identities of any Government documents in order that arrangements could be made to have these documents re-claimed. Enclosed for your information are two copies of a memorandum dated May 25, 1973, at Washington, D. C., which sets forth an inventory of the documents obtained from the Office of Egil Krogh, Jr., at the Department of Transportation. Copies of pages 1 through 64 of this memorandum were previously furnished Mr. Maroney and a copy was in turn furnished the Special Prosecutor's Office by the Department. Copies of pages 65 through 77 were furnished the Special Prosecutor's Office by this Bureau.



100-2011-2
The Attorney General

By memorandum dated June 30, 1973, Mr. James Vorenberg, Assistant Special Prosecutor, requested that this Bureau furnish the Special Prosecutor's Office with copies of certain documents listed in the inventory. The documents requested are circled in red on the enclosed inventory. Most of these documents are internal White House communications although some material actually originated with other agencies such as the FBI, U. S. Secret Service and the Department of Justice as well as individuals connected with either the Federal Government or the District of Columbia.

Inasmuch as this material was apparently accumulated by Mr. Krogh during his employment on The White House Staff, it is requested that the appropriate person at The White House be contacted to obtain authorization for the FBI to release copies of the documents requested to the Special Prosecutor's Office. In addition, it is also requested that it be ascertained what disposition of the other documents is desired.

Enclosures (2)

1 - Mr. Archibald Cox - By Courier Service
Special Prosecutor

1 - Mr. R. C. Gebhardt
1 - Mr. E. S. Miller
1 - Mr. J. R. Hagy

The Attorney General

August 14, 1973

Director, FBI

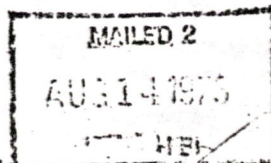
REQUEST FROM SPECIAL PROSECUTOR'S
OFFICE FOR COPY OF CERTAIN DOCUMENTS
PREVIOUSLY IN THE OFFICE OF FORMER
WHITE HOUSE STAFF MEMBER EGIL KROGH, JR.

Reference is made to my letter to you dated July 25, 1973, captioned as above, which requested that the appropriate person at The White House be contacted to obtain authorization for the FBI to release copies of certain documents obtained by the FBI in May, 1973, from the Office of Egil Krogh, Jr., prior to his resignation as Under Secretary of Transportation. This request was made following receipt of a memorandum dated June 30, 1973, from the Special Prosecutor's Office which asked that the FBI provide copies of certain of these documents. White House authorization was sought inasmuch as the majority of the documents obtained from Mr. Krogh's Office appeared to be internal White House communications.

By memorandum dated August 1, 1973, you approved the request made by the Special Prosecutor's Office and noted that The White House had been informed of the release of copies of these documents to the Special Prosecutor's Office.

By memorandum dated August 3, 1973, Mr. Henry S. Ruth, Deputy Assistant Special Prosecutor, requested that this Bureau furnish the Special Prosecutor's Office with copies of additional documents obtained by this Bureau from Mr. Krogh's Office. Enclosed for your information are two copies of a Form FD-302 dated 6/21/73, which sets forth a partial inventory of documents obtained from Mr. Krogh's Office. The documents now being requested by Mr. Ruth are circled in red on the enclosed memorandum pages. With the exception of some newspaper clippings, the documents appear to be internal White House communications.

Assoc. Dir. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Cong. Serv. _____
Corr. & Crm. _____
Research _____
Rec. Off. _____
Telephone Rm. _____
Director Sec'y _____



JRH
5JRH:cae
(7)

21 1973

See NOTE Page 2

MAIL ROOM ☐ TELETYPE UNIT ☐

The Attorney General

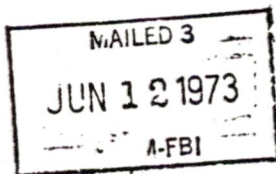
June 12, 1973

Acting Director, FBI

After our conversation yesterday, I called Senator Lowell P. Weicker, Jr., and discussed with him his request to interview Mr. Charles D. Brennan, the Special Agent in Charge in Alexandria, Virginia. His request to you was made as a result of a refusal by Brennan to talk to him without prior authority from either you or me. He said that he was simply following up on his earlier conversation with William C. Sullivan and the relationship between the Internal Security Division of the Justice Department and the Domestic Intelligence Division of the FBI. Brennan at the time in question (1969 - 71) worked for and was very close to Sullivan. Weicker seemed particularly interested in the claim that the FBI was harassing the Beacon Press when the latter was about to publish the Pentagon Papers. He claimed that such harassment was a fact and not an allegation as far as he was concerned. He further expressed dismay that Archibald Cox's jurisdiction seemed to be extending ever further from the confines of the Watergate Case. He said he had been against a Special Prosecutor from the beginning and felt that your stewardship would have been more than adequate to assure fairness. He recognized that was water over the dam, but expressed continued irritation over Cox's involvement in any matters outside the strict confines of the Watergate.

I told him that we would make Brennan available to him for interview and that I would simply ask Brennan to apprise me of the contents of their conversation. He seemed happy with this decision and I will let you know what happens.

Mr. Felt ☒
Mr. Baker ☐
Mr. Callahan ☐
Mr. Cleveland ☐
Mr. Conrad ☐
Mr. Gebhardt ☐
Mr. Jenkins ☐
Mr. Marshall ☐
Mr. Miller, E.S. ☒
Mr. Soyars ☐
Mr. Thompson ☐
Mr. Walters ☐
Tele. Room ☐
Mr. Baise ☐
Mr. Barnes ☐
Mr. Bowers ☐
Mr. Herrington ☐
Mr. Koenig ☐
Mr. Minz ☐
Mr. Eardley ☐
Mrs. Hogan ☐



NOT RECORDED
167 JUL 23 1973

18 JUL 20 1973

57 AUG 3 1973

MAIL ROOM ☐ TELETYPE UNIT ☐

PERS. REC. UNIT

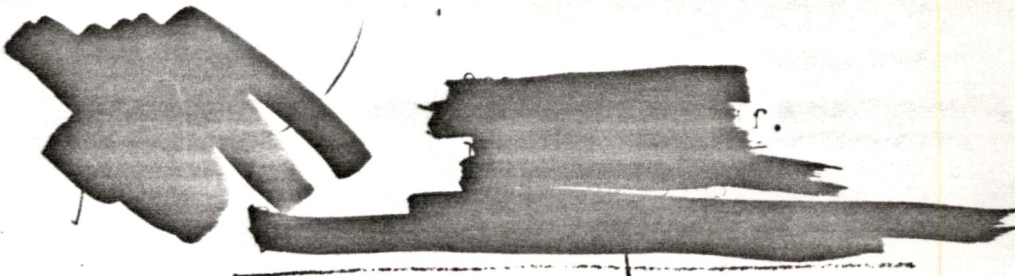
The Attorney General

Inasmuch as this material was apparently accumulated by Mr. Krogh during his employment on The White House Staff, it is requested that the appropriate person at The White House be contacted to obtain authorization for the FBI to release copies of the documents requested to the Special Prosecutor's Office.

Enclosures (2)

1 - Mr. Archibald Cox - By Courier Service
Special Prosecutor

NOTE: Above request that Attorney General contact The White House with respect to release of Krogh documents to Special Prosecutor's Office is in line with our handling of prior request by Special Prosecutor's Office, described above.


Mr. C. Kelly
FBI
9th & Pennsylvania
Washington D.C. 20535

Dear Sir,

I have Two problems that I feel may require your attention.

The first concerns a Mr. Willaim Terry. In certain conversations with me he said that he was a "Plumber". He said to me that Mr. Liddy, Mr. Coleman, and Mr. Geddley/Geddly were all "Plumbers" and that they solved problems for the President. Mr. Terry was murdered and left in the desert on or about 22 May 1973.

ref. I have talked to the San Bernardino County Sheriff (Lt. Forebush) about this, and in effect he does not believe it. However, no one has talked to Mrs. G. Wood, who among others has seen Mr. Terry in the presence of notable personssuch as Gov. Reagan and President Nixon on TV. He said that he had talked to the FBI. He may or may not have done what he said, but he did (Mr. Terry) discuss with me at dinner, the Ellesburg breakin substantially before the fact was in the media. True or not, this matter makes a cloud in my life until it is cleared up. Mr. Terry aided me in certain matters that this affects.

PL

ST-116 The second problem concerns a lease/land use permit, *REC-32* in an area also used by the FBI, in Los Padres National Forest called Frazier Peak. Mr. Terry aided me with obtaining a land use permit on Frazier Peak, however Mr. Terry and others have said that a man that works for/with the FBI by the name of Aide "Black Balled" us with the local Forest. Since this seemed with out causative action, I would like to have this reversed or at least discussed.

7-110-4456

JUL 27 1973

*Airtel to HQ & ...
JRW: fdp
1/27/73*


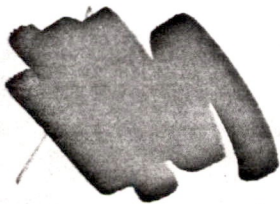
Trunk
CORRESPONDENCE

I think that you can see my problem in going to U.S. Senator John V. Tunney and asking him to help me trace applications for a land use permit that were persued with Mr. Terry's help if Mr. Terry were involved in Watergate. I could not in good conscience do this if it were to reflect adversely on Senator Tunney.

I would like to say that one time before I assisted the FBI in solving a case. This was the case in Beverly Hills where a man was stealing telephone equipment from the phone company and advertised the equipment on ham radio. I phoned an agent and told him what I had heard. He said that he would work with the phone company. It took some talking to make him believe that it was not a joke. It was also difficult to make him believe the extent of the operation (justification for involvement of FBI).

It would be well to say that my knowlege is basicly limited to conversations with Mr. Terry and others. I have no personal involvement.

Sincerely,



Al 101

1 - Mr. Wagoner

100-32

4456

7/27/73

To: SAC, Los Angeles (Enclosure)

From: Director, FBI

DANIEL ELLSBERG
ACTIVITIES OF THE PLUMBERS
(INTELLIGENCE DIVISION)

Enclosed is copy of a letter dated 7/19/73 from [REDACTED]

FBI Headquarters has previously been advised by the Special Prosecutor's office that that office has an interest in any activities of the so-called "Plumbers."

Since the enclosed letter is nonspecific relative to the activities Mr. William Terry engaged in on behalf of the "Plumbers," [REDACTED], should be interviewed in an effort to obtain all available information relative to the identity of Terry and the activities that he allegedly engaged in in solving problems for the President. Information relative to the circumstances under which Terry was murdered and the place of the murder should be ascertained. A complete identity of [REDACTED] should be determined and, if warranted, she should be interviewed relative to her knowledge of Terry's activities. Any information in [REDACTED] possession relative to the burglary of the office of Daniel Ellsberg's psychiatrist should be ascertained.

It is noted in the enclosed letter Hebel indicates that the burglary of the office of Ellsberg's psychiatrist affects Hebel in some unspecified way. This statement should be clarified in the interview.

JRW:tdp
(4)

SEE NOTE PAGE TWO

MAILED 22

JUL 27 1973

Assoc. Dir. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____

Training _____
Corr. & Com. _____
Research _____
Press Off. _____
Telephone Rm. _____
Director's Sec'y _____

84 AUG 2 1973 MAIL ROOM TELETYPE UNIT ☐

True

Airtel to SAC, Los Angeles
RE: DANIEL ELLSBERG

With regard to the last paragraph on page one and the first paragraph on page two, you should determine if this is a matter within the investigative jurisdiction of the FBI and, if so, submit details in a form suitable for dissemination together with your recommendation regarding further inquiry. In the event this matter is within the FBI's jurisdiction, it should be submitted under an appropriate caption and character.

Prior to interviewing [REDACTED] it would appear, based on the enclosure, that a contact with the San Bernardino County Sheriff's office could be helpful.

No information was located in Bufiles identifiable with [REDACTED] or [REDACTED] based on the information set forth in the enclosure.

NOTE:

[REDACTED] who apparently resides in Santa Ana, Calif., directed a letter to the Director indicating he had 2 problems. One concerned a William Terry who allegedly was connected with the "Plumbers" and which connection has some undefined affect on Hebel's life. According to [REDACTED], Terry was murdered and left in the desert on or about 5/22/73. This information was apparently furnished by [REDACTED] the San Bernardino County Sheriff who does not believe whatever Hebel told him. The second problem concerns a permit to lease land in the Los Padres National Forest. [REDACTED] contends that someone who works for the FBI prevented [REDACTED] from obtaining such a permit.

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 8/2/73

[redacted] was interviewed at the Santa Ana Resident Agency, and advised that he resides at [redacted] with telephone number [redacted]

[redacted] stated that he had been attempting to obtain a Land Use Permit at Frazier Peak in the Los Padres National Forest, where he hopes to erect a two hundred foot radio tower to be used by various ham radio operators in the area. He stated that he was involved in this endeavor with one WILLIAM L. TERRY, also a ham radio operator, who has, in conversations with him over the past two years, indicated that he was involved with the Plumbers group operating out of the White House on behalf of the Committee to Re-elect the President. [redacted] stated that TERRY was representing him with the United States Government in his efforts to obtain this permit and that TERRY was murdered on May 22, 1973.

Interviewed on 8/1/73 at Santa Ana, California File # Los Angeles 105-27952-1

[redacted]
[redacted]
Date dictated 8/2/73

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

65-74060-4471

1 - Mr. E. S. Miller
1 - Mr. R. E. Gebhardt
1 - Mr. J. R. Hagy

Mr. Archibald Cox
Special Prosecutor

August 14, 1973

BY COURIER SERVICE

Director, FBI

DANIEL ELLSBERG

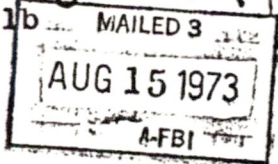
During his recent appearance before the Senate Select Watergate Committee, former Assistant to the President John D. Ehrlichman implied that the special White House intelligence-gathering group, now popularly known as the "Plumbers," had been created because of failure by the FBI to vigorously press its investigation of Daniel Ellsberg and the June, 1971, disclosure of the highly classified "Pentagon Papers." At various times during his testimony, Ehrlichman supported this allegation by these points: (a) J. Edgar Hoover, then Director of the FBI, was a close friend of Ellsberg's father-in-law, (b) former Attorney General John N. Mitchell informed Ehrlichman the FBI was not conducting a rigorous investigation of the "Pentagon Papers" leak, and (c) former White House aide (and creator of the "Plumbers" unit) Egil Krogh, Jr., had reported to Ehrlichman he couldn't get the FBI moving. Ehrlichman is also on record as noting that the formation of the "Plumbers" finally forced the FBI to "wake up," and that by September 20, 1971, the FBI's investigation was progressing to the satisfaction of The White House. He also characterized FBI material furnished on August 3, 1971, to The White House concerning the Ellsberg investigation as old, stale material drawn from the files.

The following information is pertinent to Mr. Ehrlichman's allegations:

(a) The FBI was requested on June 15, 1971, by then Attorney General Mitchell to investigate the disclosure of the "Pentagon Papers" based on the publication on June 13, 1971, by "The New York Times" of the first of a series of articles purportedly based on these documents. On that same day, June 15, 1971, Daniel Ellsberg was pinpointed by FBI

65-74060

JRH:jlb
(6)



SEE NOTE PAGE FIVE
V SR BH JS

FBI JUSTICE
RECEIVED

MAIL ROOM ☐ TELETYPE UNIT ☐

84 AUG 24 1973

Mr. Archibald Cox

investigation as the prime suspect, and unsuccessful efforts to locate Ellsberg for interview began. On June 23, 1971, Ellsberg's father-in-law, Louis Marx, was interviewed by the FBI at New York City, but was unable to furnish any information concerning Ellsberg's whereabouts or his possible relationship with the "Pentagon Papers" disclosure.

(b) As noted above, Mr. Mitchell, on June 15, 1971, ordered FBI investigation of the "Pentagon Papers" leak, and from that date forward the Internal Security Division, Department of Justice, was furnished with details regarding the FBI's inquiry into this matter. This material was hand-carried to the appropriate Departmental attorneys on a daily basis, and important developments in the case were immediately brought to the attention of Mr. Mitchell by letter. There is no information on record in the files of the FBI relative to dissatisfaction on the part of Mr. Mitchell with the scope and/or conduct of the FBI's investigation of Daniel Ellsberg.

(c) Ehrlichman has noted in his testimony that at a White House conference held July 24, 1971, the President charged Egil Krogh, Jr., with responsibility for investigation of leaks of classified material to the news media. In this respect, two additional cases involving [REDACTED]

[REDACTED] had recently surfaced, and investigations into these leaks, as well as the "Pentagon Papers" matter, were then underway by the FBI. By letter dated July 29, 1971, President Nixon advised Mr. Hoover that Krogh had been directed to examine in depth the recent disclosures of classified material, and requested the FBI to furnish Krogh with (1) a comprehensive background paper on Daniel Ellsberg and (2) all information acquired to that date relating to seventeen individuals (one of whom was Daniel Ellsberg) named in an enclosure to this letter. Material requested was furnished to Krogh in memorandum form by letter dated August 3, 1971, and it appears this is the information characterized by Ehrlichman as old, stale file material.

Mr. Archibald Cox

Actually, this material, consisting of over 110 pages, included a 20-page summary of all available background material concerning Daniel Ellsberg as well as a summary of pertinent investigation conducted by the FBI from June 15, 1971, to July 31, 1971, relative to the "Pentagon Papers" leak.

By letter dated August 6, 1971, Krogh acknowledged receipt of the material furnished him by the FBI under date of August 3, 1971, and requested, with respect to FBI investigation of leaks of classified data, that same be handled on a "Bureau special" basis. Krogh was informed by letter dated August 10, 1971, that this was being done.

The term "special" denotes that an FBI investigation is to be handled on an expeditious and priority basis. From the outset, the FBI afforded the Ellsberg investigation urgent attention. Field offices were instructed to handle all leads expeditiously and to assure that sufficient manpower was assigned to the case. Results of investigation were reported by teletype and the four principal offices (Boston, Los Angeles, New York, and the Washington Field Office) were required to submit daily teletype summaries of developments. The practice of treating a major investigation as a "special" is not unusual.

Some idea of the urgency and thoroughness with which this case was handled can also be seen from the volume of mail generated as a result. For example, during the one-month period from mid-July, 1971, to mid-August, 1971, FBI Headquarters, Washington, D. C., received 270 teletypes, 71 airtels (an air-mail communication afforded same priority as a teletype), 14 investigative reports and seven letters from various field offices relating to the Ellsberg investigation. The scope of the Ellsberg investigation may also be highlighted by comparison with the well-publicized Watergate case. This investigation, which has been underway for over a year, presently consists of approximately 2,500 communications, constituting 40 volumes. The Ellsberg case file had grown to approximately 2,262 communications, constituting 40 volumes, by mid-November, 1971, or only five months after initiation of this investigation. It is also noted the Ellsberg file had grown to 1,754

Mr. Archibald Cox

communications by September 20, 1971, the date Mr. Ehrlichman noted that the FBI's investigation was progressing to the satisfaction of The White House.

By separate letter also dated August 10, 1971, Krogh was furnished with the first of a series of weekly summaries containing results of FBI investigation into leaks of classified material. These summaries, taken together with the detailed memorandum dated August 3, 1971, provided Krogh on a continuing basis with a complete, up-to-date report of FBI progress with respect to investigation of leak cases, including the Ellsberg matter. The files of the FBI contain no record of any information indicating dissatisfaction on the part of Krogh with this Bureau's investigation of Daniel Ellsberg.

Concerning Ehrlichman's identification of September 20, 1971, as the date by which the FBI investigation of Daniel Ellsberg was underway in a manner satisfactory to The White House, a review of the records relating to the Ellsberg investigation sheds no light on the significance of this particular date. At this point in time, Ellsberg had long since been pinpointed as the prime suspect in the leak of the "Pentagon Papers" and, based on FBI investigation conducted between June 15, 1971, and June 28, 1971, had been indicted by a Federal Grand Jury at Los Angeles, California, for alleged violations of the Espionage Statutes.

The foregoing is furnished for information in connection with interest of your office with respect to the activities of the "Plumbers" unit.

Mr. Archibald Cox

NOTE:

Foregoing provided office of Special Prosecutor to set record straight relative to misleading and inaccurate allegations made in public testimony of former Presidential Assistant John D. Ehrlichman before Senate Select Watergate Committee. Relative to size and scope of Ellsberg investigation from outset (6/15/71) to 8/10/71, date Krogh was informed Bureau was handling matter as a "special," records reveal Assistant Director, Domestic Intelligence Division, instructed Section Chief handling this investigation at the outset to afford special attention to this case and handle it as a "special." Additional Agent Supervisors were assigned to matter on 6/23; 6/28; 7/8; 7/29; 8/9; and 8/13/71, with total of nine Agent Supervisors on board as of 8/23/71.

FBI

Date:

7/25/73

Transmit the following in _____

(Type in plaintext or code)

Via AIRTEL

(Priority)

TO: DIRECTOR, FBI (65-74060)
(ATTN: INTELLIGENCE DIVISION)

FROM: SAC, WFO (65-11613)

UNITED STATES VS ANTHONY J. RUSSO, JR.
AND DANIEL ELLSBERG

Re Bureau airtel to WFO 6/15/73 instructing WFO to identify individuals connected with the Central Intelligence Agency (CIA) who lent support to alleged activities of G. GORDON LIDDY and E. HOWARD HUNT for the burglary of the office of ELLSBERG's psychiatrist; to identify and interview the person or persons in the Department of Justice who may have received film and possibly a camera belonging to CIA used in connection with the burglary.

Enclosed for the Bureau are five copies of an LHM reporting investigation to determine if possible violations of federal statutes governing conversion of Government property and conspiracy were violated in the break-in of the office of ELLSBERG's psychiatrist. LHM sets forth identities of individuals at CIA who furnished support to LIDDY and HUNT for the break-in and investigation at the Department of Justice concerning allegation film and possibly a camera used in connection with the burglary was sent to the Department of Justice.

The enclosed LHM has been classified "Secret" inasmuch as it contains information furnished by CIA and so classified by that Agency.

Copy to: APC - 2 LHM
by routing slip for CRD

☒ info ☐ action

Date: 8/15/73

by: SPH/NE

1 airtel
det 710 D
2- Bureau (Enc. 5)
1- WFO
CHR:cjn
(3)

ENCLOSURE

REC-38

65-14060-4474

17 JUL 25 1973

EX-103

2 cels LHM
personally delivered to
SPD 8/15/73 JAA

Remarks: (2 cc LHM sent to SAC
Re Departmental Memorandum
dated 6/15/73)

Approved: _____

Sent _____

M

Per _____

Special Agent in Charge

84 AUG 21 1973

U.S. Government Printing Office: 1973-574

DATA PROCESSING
FIVE



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Washington, D.C. 20535
July 25, 1973

~~SECRET~~

*Trial
Docs*

In Reply, Please Refer to
File No.

UNITED STATES VS ANTHONY J. RUSSO, JR.
AND DANIEL ELLSBERG

This investigation was conducted as a consequence of a burglary of the office of Dr. Lewis Fielding, Beverly Hills, California, Daniel Ellsberg's psychiatrist, for a twofold purpose: 1. To determine if sufficient evidence exists which would form the basis for prosecution under Title 18, United States Code, Section 641, showing G. Gordon Liddy and E. Howard Hunt converted Government property to their own use or to the use of another without authority in the commission of the burglary; and 2. To determine whether the Conspiracy Statute, Title 18, United States Code, Section 371, may have also been violated by persons in addition to Liddy and Hunt in connection with the authorization and planning of the break-in.

Background

Information about the burglary of Dr. Fielding's office first surfaced in April, 1973. Earl Silbert, United States Attorney's Office, Washington, D.C. (WDC), then conducting investigation into the Watergate incident, called Assistant Attorney General Henry E. Petersen, Criminal Division, Department of Justice, and advised him April 16, 1973, information had been received from John Dean or from Dean's attorneys that "Hunt and Company" burglarized Dr. Fielding's office. Dean or his attorneys apparently indicated at the time that information documenting Central Intelligence Agency (CIA) support for the burglary was previously furnished by CIA to the Watergate prosecutors. The allegation of burglary was subsequently substantiated in United States District Court, Los Angeles, California, site of the Ellsberg trial, when defense attorneys filed an affidavit from Dr. Fielding asserting his office was burglarized and ransacked sometime between September 3-4, 1971, although nothing had been stolen.

~~SECRET~~

Classified by ~~Donald J. Jones~~
Exempt from GDS, Category 2
Date of Declassification Indefinite

APPROPRIATE AGENCIES,
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OF *[Signature]*
DATE *5-28-83* *[Signature]*

ENCLOSURE

65 74060

4474

UNITED STATES VS ANTHONY J. RUSSO, JR.
AND DANIEL ELLSBERG

~~SECRET~~

Egil Krogh, Jr., in an affidavit filed May 4, 1973 in the Superior Court of the District of Columbia in connection with the Ellsberg trial, described how on or about July 15, 1971 he was instructed by John D. Ehrlichman, Assistant to the President for Domestic Affairs, to form a Special Unit at the White House to coordinate a Government effort to determine the causes, sources and ramifications of the unauthorized disclosure of classified documents known as the Pentagon Papers. Krogh was then serving on the White House staff and was Ehrlichman's subordinate. David Young of the National Security Council, E. Howard Hunt and G. Gordon Liddy were also brought into this Unit. Krogh, in his affidavit, described the pressure then existing to identify the source of the leak of the Pentagon Papers and of other leaks and told how the President, in Ehrlichman's presence, instructed him to move ahead with greatest urgency.

Krogh's affidavit stated information received indicated Daniel Ellsberg did not act alone in the disclosure of the Pentagon Papers. Information obtained by the Special Unit made it imperative to determine whether this disclosure was an individual act, the act of a small group or the result of a wider conspiracy. Krogh cited a prior interview with Dr. Fielding conducted by the Federal Bureau of Investigation (FBI) which yielded negative results and Krogh noted that discussions among the Special Unit were conducted which indicated information in Dr. Fielding's possession might hold a key to breaking the impasse; individuals who participated with Ellsberg may have been named; a psychological profile of Ellsberg could be put together with information derived from Dr. Fielding.

Krogh said general authorization to engage in covert activity to obtain a psychological history or to ascertain Ellsberg's associates was thereafter given by Ehrlichman to the Special Unit. Hunt and Liddy formulated plans for getting the information from Dr. Fielding's office and they subsequently visited California to determine the means of acquiring that information. Films of Dr. Fielding's office were brought back following the first trip to California. Certain of these films, according to Krogh, were left in a camera belonging to CIA and transmitted by CIA to the Department of Justice.

~~SECRET~~

UNITED STATES VS ANTHONY J. RUSSO, JR.
AND DANIEL ELLSBERG

~~SECRET~~

Krogh admitted in his affidavit that in his supervisory capacity he agreed to the burglary (mission) with the understanding Hunt and Liddy would obtain the services of certain Cubans to accomplish the task. Funds to support the mission were obtained through an unknown intermediary after a request was made to Charles Colson, Special Counsel to the President. According to Krogh, Colson was not aware of the purpose of the mission.

A second trip was undertaken in early September, 1971 to California to get the information. Krogh said Hunt and Liddy subsequently reported to him the second trip failed to achieve its objective and they showed him photographs taken of destructive activity within Dr. Fielding's office. Krogh reported this to Ehrlichman. Ehrlichman then told Krogh to instruct Hunt and Liddy not to undertake additional covert activity, that the activity on the second trip far exceeded the scope of any covert activity previously authorized by him.

John Ehrlichman, in an interview April 27, 1973, admitted he knew beforehand Hunt and Liddy were going to the West Coast to gather information for a "psychiatric profile" on Ellsberg but said he had not authorized the burglary and he was not told about it until after the event, when he instructed that this not be done again.

Felipe De Diego, 1841 Southwest 92nd Place, Miami, Florida, in a statement given to Richard E. Gerstein, State Attorney, Miami, Florida, May 10, 1973, described how he and Eugenio Martinez were recruited in 1971 by Bernard L. Barker to burglarize Dr. Fielding's office. De Diego understood they were working for the Government. Barker told De Diego the group was headed by an ex-CIA man, Howard Hunt, who was also known to De Diego as "Eduardo". Subsequently all three, De Diego, Martinez, and Barker, traveled to California and burglarized Dr. Fielding's office. According to De Diego he did not know the purpose of the mission, that he was to search for Ellsberg's psychiatric file, until later when he, Martinez and Barker had actually gained entry to Dr. Fielding's office. De Diego and Barker searched fruitlessly for this file, while Martinez took photographs of the search activity. Martinez and Barker were defendants in the Watergate trial.

~~SECRET~~

UNITED STATES VS ANTHONY J. RUSSO, JR.
AND DANIEL ELLSBERG

~~SECRET~~

Assistant Attorney General Petersen advised June 25, 1973 that neither film nor camera allegedly used in connection with the burglary was sent to the Department by CIA.

Mr. Petersen noted that in connection with the Watergate investigation, CIA had previously furnished the Department with two packages of documents, one package under cover letter from CIA to the Attorney General, the other under cover letter from CIA to himself. These packages contained biographic summaries on people having some relationship with Hunt, copies of certain documents previously furnished by CIA to the FBI and Xeroxed copies of photographs.

Earl Silbert, United States Attorney's Office, and Mr. Petersen examined the Xeroxed copies of photographs in connection with the Watergate investigation. There were six or seven Xeroxed copies of photographs. They were photographs of what appeared to be the interior of a motel room. One photograph showed G. Gordon Liddy standing in a parking lot - this photograph also showed two signs bearing names "Rothburg" (ph) and "Fielding". The names meant nothing then to those familiar with the Watergate investigation.

After John Dean furnished information to Silbert about the burglary of Dr. Fielding's office, the Department double-checked the FBI files, sometime between April 18-20, 1973, and it was then discovered Dr. Fielding had been previously interviewed by the FBI. This was the first time the Department, according to Mr. Petersen, recognized the significance of the photograph of the parking lot showing the sign with Dr. Fielding's name on it.

Deputy Assistant Attorney General Kevin T. Maroney, Criminal Division, Department of Justice, commenting June 25, 1973 about the two packages received from CIA, noted they had been transmitted to the Department in July or August, 1972 and October, 1972. Apparently, according to Mr. Maroney, someone testified before the Grand Jury hearing the Watergate matter in May, 1973 and indicated the Department had been previously advised in 1972 about CIA assistance given to Hunt and possibly to Liddy by way of furnishing a camera, identification, disguises and other material. That testimony apparently prompted Assistant Attorney General Petersen to cause a file search which produced the packages with the Xeroxed copies of photographs.

~~SECRET~~

One photograph showed a parking lot and it was then noted there were name plates on a wall in the parking lot reserving parking spaces. One name plate bore the inked-in notation "reserved for Dr. Fielding". The discovery of the inked-in name plate at this time in light of the previous disclosure about the burglary marked the first time the name "Fielding" took on any significance to Earl Silbert of the United States Attorney's Office, to Mr. Petersen or to anyone else in the Criminal Division of the Department. The discovery marked a realization for the first time that photographs had been made on the trip to the West Coast by Hunt, Liddy, or others. According to Mr. Maroney's knowledge, the time of this discovery also marked the first occasion anyone in the former Internal Security Division of the Department had seen the photographs.

Mr. Maroney said he contacted John Greaney, Assistant General Counsel, CIA, within a few days of the discovery. Greaney checked with CIA people who had something to do with developing the film at Hunt's request and Greaney later advised Mr. Maroney the film and the camera had been returned to Hunt after the photographs were developed. All that CIA photographic laboratory personnel or whoever was involved in developing the film for Hunt had kept were the Xeroxed copies of the prints.

Mr. John Martin, Chief, Analysis and Evaluation Unit, Internal Security Section, Criminal Division, Department of Justice, noted June 28, 1973 he formerly served as Chief, Analysis and Evaluation Section, Internal Security Division of the Department and in that capacity he was closely associated with the Ellsberg case. Mr. Martin, however, has no knowledge that film or a camera used in the burglary of the office of Ellsberg's psychiatrist was delivered to the Department. Mr. Martin recalled that subsequent to the discovery in April, 1973, of information about the burglary, a question arose in the Department about some material that reportedly had previously been sent to the Department by CIA. The material was located, examined and found to contain various memoranda previously furnished to the FBI and Xeroxed copies of photographs. Mr. Martin said this was the first time he was aware of the fact that these materials even existed.

UNITED STATES VS ANTHONY J. RUSSO, JR.
AND DANIEL ELLSBERG

~~SECRET~~

Richard G. Kleindienst, former Attorney General, was contacted June 21, 1973 in connection with another matter. He mentioned then he had no knowledge film or a camera allegedly used in connection with a burglary of the office of Daniel Ellsberg's psychiatrist was delivered to the Department of Justice.

Addendum

Information in this memorandum concerning CIA support furnished Hunt and Liddy in 1971 is drawn from copies of CIA documents made available to the FBI and believed to be identical with CIA "packages of documents" furnished to the Department in 1972. Mr. John Martin, Department of Justice (supra) advised July 10, 1973 that Departmental copies of these "packages" were turned over June 1, 1973 to the office of Special Prosecutor Archibald Cox.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

~~SECRET~~

CODE

TELETYPE

1 - Mr. L. E. Gebhardt
1 - Mr. E. S. Miller
1 - Mr. J. R. Hagy NITEL

TO: SAC, LOS ANGELES (105-27952)

8/17/73

FROM: DIRECTOR, FBI (65-74060)

UNITED STATES VS. ANTHONY J. RUSSO, JR., AND DANIEL ELLSBERG

RE LA LETTERHEAD MEMORANDUM DATED 8/1/73 AND 7/30/73, CAPTIONED AS ABOVE.

SPECIAL PROSECUTOR'S OFFICE (SPO), WASHINGTON, D. C., HAS REQUESTED FURTHER IDENTIFICATION OF FOLLOWING SIX INDIVIDUALS REFERRED TO IN RE LHM'S:

DETERMINE WHETHER

IDENTICAL WITH

WHETHER HE IS AN

ATTORNEY.

CALIFORNIA. IS THIS INDIVIDUAL A MEMBER OF THE

JRH:vb
(5)

REC-8

EX-112

SEE NOTE PAGE TWO

RECEIVED
COMMUNICATIONS SECTION
AUG 18 1973

935 PM EXH

TELETYPE

AUG 27 1973

MAIL ROOM ☐

TELETYPE UNIT ☐

Assoc. Dir. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Files & Com. _____
Gen. Inv. _____
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Spec. Inv. _____
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Cong. Serv. _____
Corr. & Crm. _____
Research _____
Press Off. _____
Telephone Rm. _____
Director Sec'y _____

U.S. DEPT. OF JUSTICE
RECEIVED

Teletype to Los Angeles

Re: United States vs. Anthony J. Russo, Jr., and Daniel Ellsberg
65-74060

[REDACTED]

[REDACTED], CALIFORNIA. ASCERTAIN NATURE OF [REDACTED]

[REDACTED]

IS THIS INDIVIDUAL RELATED TO [REDACTED]

CORPORATION, SANTA MONICA, CALIFORNIA?

[REDACTED]

SPO SPECIFICALLY INTERESTED IN EMPLOYMENT AND/OR OCCUPATION OF
FORGOING, IN ADDITION TO SPECIFIC QUESTIONS POSED ABOVE.

LOS ANGELES, RESTRICTING INQUIRIES TO CONTACTS WITH ESTABLISHED
SOURCES, PUBLIC SOURCE MATERIAL, SUCH AS "WHO'S WHO IN AMERICA,"
AND DATA IN LOS ANGELES FILES, SUBMIT BRIEF THUMBNAIL SKETCH FOR
EACH INDIVIDUAL, INCLUDING NAME, ADDRESS, AND DATA DEVELOPED BY
TELETYPE SUITABLE FOR SUBSEQUENT DISSEMINATION TO SPO. TELETYPE
SHOULD REACH BUREAU NO LATER THAN 8/22/73.

NOTE:

Per prior request of SPO, Los Angeles has previously
identified subscribers to certain telephone numbers in the Los
Angeles area and results were incorporated in Re LHM's. During
conference with SPO, 8/15/73, request was made for forgoing
investigation, results of which are needed by SPO by 8/23/73 in
connection with Grand Jury action.

NR016 NY CODE

833 PM NITEL 8-20-73 CJR

TO DIRECTOR 65-74060

LOS ANGELES 105-27952

MIAMI 65-3264

FROM NEW YORK 65-25641

1P

UNITED STATES VERSUS ANTHONY J. RUSSO, JR. AND DANIEL
ELLSBERG.

REFERENCE BUREAU NITEL, 8/16/73.

AMERICAN EXPRESS COMPANY, 770 BROADWAY, NEW YORK,
NEW YORK, IS PROPER PERSON TO WHOM SUBPOENA DUCES TECUM
SHOULD BE DIRECTED.

END

EX-109

REC-32 65-74060-4476

6 AUG 24 1973

5- JMA

Assoc. Dir. _____
Asst. Dir.: _____
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Legal Coun. _____
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Corr. & Crm. _____
Research _____
Press Off. _____
Telephone Rm. _____
Director Sec'y _____

F B I

Date: 7/31/73

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (65-74060)

FROM: SAC, WFO (65-11613)

UNITED STATES VS. ANTHONY J. RUSSO, JR.
AND DANIEL ELLSBERG

Relet from HENRY RUTH, Watergate Special Prosecution Force to the Director, 7/20/73 captioned "Burglary of Dr. LEWIS J. FIELDING", forwarded to WFO by Bureau routing slip 7/27/73.

Enclosed for AX are 2 copies of relet with Bureau routing slip.

Relet fails to indicate any investigation at Washington, D. C. Alexandria is requested to handle airlines checks at Dulles International and Washington National Airports.

- 1 da 710D
- 2 - Bureau
 - 2 - Alexandria (Enc.3)
 - 1 - WFO

CAR:jak
(5)

REC-110

REC-47

4478
AUG 1 1973

FIVE

Approved: _____

Sent _____ M Per _____

Special Agent in Charge

84 AUG 31 1973

F B I

Date: 8/3/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL (REGISTERED)
(Priority)

TO: DIRECTOR, FBI
FROM: SAC, LOS ANGELES (105-27952) (P)
SUBJECT: DANIEL ELLSBERG
ACTIVITIES OF THE PLUMBERS
(INTELLIGENCE DIVISION)

file 65-74060

Re Bureau airtel dated 7/27/73.

Enclosed for the Bureau is one copy of an FD-302
containing results of an interview with [REDACTED]

Enclosed for San Diego, which did not receive
referenced airtel, are single copies of the airtel, a letter
from HEBEL to FBI Director KELLEY, and the FD-302.

Los Angeles indices reflect that [REDACTED] was stopped
[REDACTED]

He stated he belonged to a ham
radio group, [REDACTED] a training program in detection, had
hidden a radio transmitter on the El Toro grounds and he was
trying to locate it. No action was taken by the MPs and they
indicated he was very cooperative with them. Los Angeles
indices contain no other reference.

1 cc det 970

- ② - Bureau (Enc. 1) (RM)
2 - San Diego (Enc. 3) (RM)
4 - Los Angeles

GSB/amg
(8)

REC-100

8-29
5-AUG-9-1973

Approved: *[Signature]*
Special Agent in Charge

Sent _____ M Per _____

U.S. Government Printing Office: 1973-455-574

84 AUG 31 1973

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/2/73

[REDACTED], was interviewed at the Santa Ana Resident Agency, and advised that he resides at [REDACTED] telephone number [REDACTED] born on [REDACTED] is currently [REDACTED]

[REDACTED] furnished the following information concerning one WILLIAM L. TERRY, whom he described as a white, male, age approximately 44, residing at 804 C, Arroyo, South Pasadena, California. He first met TERRY approximately ten years ago through their mutual hobby as ham radio operators and carried on numerous conversations with him over the radio. In the fall of 1969, he and TERRY met four times at the El Cholo Restaurant in Los Angeles, to discuss problems ham radio operators were having with the Federal Communications Commission. He met with TERRY four or five times until early 1970, when TERRY stated he had to travel to Ecuador on behalf of the United States Government. During this period TERRY indicated he was employed selling electronic equipment for an unnamed company but also indicated that he had some type of covert office space in the basement of the West Los Angeles Federal Building, located at Wilshire Boulevard and the San Diego Freeway. [REDACTED] displayed a letter from TERRY, dated May 22, 1970, bearing the return address USOM, Ecuador, which letter dealt with mutual problems that ham radio operators were having with the Federal Communications Commission. On returning from Ecuador in summer of 1970, he again met with TERRY on a number of occasions and at this time TERRY indicated he was working with one [REDACTED] an employee of the [REDACTED] location not specified, evaluating the damage done to United States Intelligence as a result of the "Pueblo" incident. During the ensuing few months TERRY indicated he had done work for the Defense Department, the Treasury Department and for the Central Intelligence Agency.

Approximately one and a half years ago during a meeting with TERRY, TERRY stated he had been invited to President NIXON's birthday party at the Western White House in San Clemente, and during this conversation TERRY stated he was

Interviewed on 8/1/73 at Santa Ana, California File # Los Angeles 105-27952

[REDACTED]
Date dictated 8/2/73

a member of a secret group called the Plumbers, which group carried out specific assignments on behalf of the White House and the Committee to Reelect the President.

TERRY claimed that he was affiliated with the Plumbers as were individuals named LIDDY, COLEMAN and GEDLEY. During this conversation TERRY referred to assignments given to the Plumbers by the "pipe" and the "brush". Although TERRY did not identify the "pipe" and the "brush" he implied he was referring to former Attorney General JOHN MITCHELL and Presidential Advisor HALDEMAN.

During this period he also met with TERRY an individual named [REDACTED] who claimed to be involved in various electronic bugging operations, although [REDACTED] did not specify for whom he was working. He also met [REDACTED] (phonetic), who was [REDACTED] and who was a white, male, 35 years old, with blond hair and who claimed to be an employee of the State of California. During this period TERRY also frequently discussed DANIEL ELLSBERG and the "Pentagon Papers" indicating the Plumbers were upset about ELLSBERG's activities. TERRY also stated that he and other Plumbers had managed to beat the FBI to a Bekins warehouse in Los Angeles, and to remove some papers ELLSBERG had reportedly concealed there. TERRY alluded to the fact that he was involved in various unspecified "dirty tricks", which the Plumbers carried out on behalf of the reelection of the President.

About three weeks prior to the news media publication of the facts surrounding the burglary of DANIEL ELLSBERG's psychiatrist, TERRY stated the Plumbers were planning such a burglary for the purpose of determining ELLSBERG's state of mind at the time he stole and made public the Pentagon Papers in order to protect the Government from other individuals with similar psychiatric problems.

After the publicizing of the burglary of ELLSBERG's psychiatrist, TERRY indicated that he himself was not involved in the actual burglary, although he had been involved in its planning.

3
LA 105-27952

TERRY also claimed that he was involved in arranging for special defense contracts for various companies and cited one example in which he had been instructed to increase the number of employees at the General Dynamics Company by arranging for additional defense contracts for them.

On one occasion TERRY claimed some nonspecific involvement in the attempted assassination of GEORGE WALLACE and also stated that he had been instrumental in convincing GEORGE MC GOVERN to offer the Vice-Presidency to Senator EAGLETON, being aware at the time of EAGLETON's past mental problems.

TERRY also recounted an incident in which he had met Defense Secretary MELVIN LAIRD and JOHN MITCHELL at the Los Angeles Airport and had driven them to Mexico in his car indicating that LAIRD and MITCHELL were on some type of assignment regarding funds to be used by the Committee to Reelect the President.

[REDACTED] stated that his contacts with TERRY were mostly of a social nature, some arranged by TERRY and some by himself. He stated TERRY had a special telephone hidden in his closet in his apartment and that when you dialed the number and allowed it to ring a specific number of times a recording would come on and ask the caller to give a series of four numbers. If the caller gave the proper series of numbers the phone would then ring directly in TERRY's office. [REDACTED] stated that he did not have this code but was told of it by a mutual friend of his and TERRY's, named [REDACTED] who resides at [REDACTED] California, telephone number [REDACTED]

[REDACTED]

[REDACTED] stated he last saw TERRY a week before his murder, which occurred on or about May 22, 1973. He also stated he talked to TERRY on May 22, 1973, by telephone at which time TERRY was in a very agitated state and indicated he would have to "hide out" because of the heat being generated by the Watergate investigations.

[REDACTED] stated TERRY had told him that he was aware of the planning for the Watergate breakin in his capacity as a Plumber but did not participate in it himself.

[REDACTED] stated that he was inclined to believe most of what TERRY told him about his activities in the Plumber group because he knew of several instances, the details of which he declined to furnish because they might injure an innocent party, in which TERRY had demonstrated his ability to obtain favors for individuals from the United States Government. He also stated that he and others had seen TERRY on television on several occasions when TERRY was included in a group surrounding President NIXON. He also stated that he saw TERRY on television on one occasion in a group surrounding California Governor RONALD REAGAN.

[REDACTED] indicated that, in addition to [REDACTED] the following individuals were aware of some of TERRY's activities:

[REDACTED]

[REDACTED]

[REDACTED]

When asked why TERRY, if he was indeed involved in covert activities on behalf of the President, would discuss these activities with an outsider such as himself, [REDACTED] stated that TERRY used him as a "sounding board" and relied on his judgement and his discretion. He stated TERRY indicated that his conscience bothered him on some of his assignments and that he was looking for others to agree with him that what he was doing was for the good of the country.

When asked why he had not reported these activities immediately after he learned of TERRY's murder [REDACTED] stated he had reported them to the San Bernardino County Sheriff's Office and was assured by investigators there that the matter would be referred to the FBI.

[REDACTED] also stated he began to fear for his own life and cited an incident which occurred subsequent to TERRY's murder, in which he was working on a tower in the Hacienda Heights area when someone fired a shot at him. He also cited another incident in which someone loosened all but one bolt on a wheel of his car. He stated he had never reported this incident to any law enforcement agency because he had no suspects.

[REDACTED] also stated TERRY was representing him with the United States Government in an effort to obtain a land use permit at Frazier Peak in the Los Padres National Forest where he was planning on erecting a radio tower and he felt that TERRY's connection with the Plumbers might jeopardize his obtaining this permit.

[REDACTED] stated that on four or five occasions TERRY had indicated he "worked for Houston", which [REDACTED] first interpreted to be the National Space Agency in Houston, Texas, but now believes the name of TERRY's superior in the Plumber group.

At the termination of the interview [REDACTED] displayed a copy of a letter addressed to Senator IRVING, United States Senate Office Building, Washington, D.C., dated July 27, 1973, and indicated that he had mistakenly referred to Senator ERVIN as Senator IRVING. [REDACTED] did not make the letter available but allowed the interviewing Agents to read it and the letter contained a brief summary of the above information concerning TERRY's activities with the Plumbers group.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 06 1973

TELETYPE

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Legal Coun. _____
Cong. Serv. _____
Corr. & Crm. _____
Research _____
Press Off. _____
Telephone Rm. _____
Director Sec'y _____

NR002 AX CODE

7:20PM NITEL 8/6/73 WMM

TO DIRECTOR (65-74060)

CHICAGO

NEW YORK

WFO (65-11613)

FROM ALEXANDRIA (65-67) (P) 3P

UNITED STATES VERSUS ANTHONY J. RUSSO, JR., AND DANIEL ELLSBERG.

RE WFO AIRTEL TO THE BUREAU, 7/31/73.

FOR THE INFORMATION OF THE BUREAU AND RECEIVING OFFICES, ON 8/6/73,

[REDACTED] AMERICAN AIRLINES, DULLES INTERNATIONAL
AIRPORT, CHANTILLY, VIRGINIA, ADVISED NO RECORDS WERE MAINTAINED
AT DULLES FOR FLIGHTS GOING BACK TO 1971. HE ADVISED CONTACT WITH
[REDACTED] AMERICAN AIRLINES CENTRAL FILES, LAKE SUCCESS, NEW
YORK, DETERMINED THE ONLY INFORMATION RELATING TO ANY FLIGHTS DURING
AUGUST AND SEPTEMBER, 1971, WOULD BE THE AUDITOR'S COUPONS WHICH
ARE KEPT AT AMERICAN AIRLINES ARCHIVES WAREHOUSE NUMBER SEVENTEEN,
STATION PLAZA, HEMPSTEAD, NEW YORK. THESE COUPONS ARE FILED BY THE
END PAGE ONE

84 AUG 31 1973

PAGE TWO

FACILITY WHERE THEY WERE SOLD AND THE DATE THAT THEY WERE SOLD, AND ARE KEPT FOR A PERIOD OF TWO YEARS AND THEN DESTROYED. WITHOUT HAVING A TICKET NUMBER IT MAY ENTAIL THE UTILIZATION OF A NUMBER OF PERSONNEL TO PHYSICALLY SEARCH THE COUPONS IF LOCATED AT THE WAREHOUSE.

[REDACTED] ON 8/6/73, [REDACTED] UNITED AIR LINES, DULLES, ADVISED NO RECORDS FOR 1971 FLIGHT WERE LOCATED AT THAT FACILITY. HE ADVISED CONTACT WITH [REDACTED] REVENUE ACCOUNTING DEPARTMENT, UNITED AIR LINES, CHICAGO, ILLINOIS, DETERMINED THAT FLIGHT COUPONS AND AUDITOR'S COUPONS ARE USUALLY DESTROYED AFTER ONE YEAR'S TIME. [REDACTED] INDICATED HE WOULD CONDUCT RESEARCH REGARDING OLD FLIGHTS FROM WASHINGTON NATIONAL AIRPORT AND DULLES INTERNATIONAL AIRPORT IN 1971 IN AN EFFORT TO DETERMINE IF ANY INFORMATION AT ALL RELATIVE TO INSTANT MATTER COULD BE DEVELOPED.

[REDACTED] ON 8/6/73, [REDACTED] TRANS WORLD AIRLINES, DULLES, WAS CONTACTED AND ADVISED NO RECORDS REGARDING 1971 TRANS WORLD AIRLINES FLIGHTS WERE KEPT AT THAT FACILITY. HE ADVISED
END PAGE TWO

PAGE THREE

ALL PERTINENT RECORDS ARE MAINTAINED AT TRANS WORLD AIRLINES HEAD-
QUARTERS, KANSAS CITY, MISSOURI, AND CONTACT SHOULD BE MADE WITH THE
REVENUE ACCOUNTING DEPARTMENT AND TO DEVELOP ANY AVAILABLE INFORMATION.

LEADS:

CHICAGO. AT CHICAGO, ILLINOIS. WILL CONTACT [REDACTED]
ACCOUNTING, UNITED AIRLINES, CHICAGO, ILLINOIS, AND
ATTEMPT TO DETERMINE IF HE HAS DEVELOPED ANY INFORMATION CONCERNING
HUNT AND LIDDY UTILIZING ANY OF THEIR FACILITIES DURING AUGUST AND
SEPTEMBER, 1971. IT IS NOTED CHICAGO IN POSSESSION OF LETTER FROM
HENRY RUTH, WATERGATE SPECIAL PROSECUTION FORCE, DATED 7/20/73,
WHICH SETS FORTH SPECIFIC DATES OF INTEREST.

NEW YORK. AT HEMPSTEAD, NEW YORK. WILL CONTACT MR [REDACTED]
[REDACTED] AMERICAN AIRLINES, ARCHIVES WAREHOUSE NUMBER SEVENTEEN,
STATION PLAZA, HEMPSTEAD, NEW YORK, AND ARRANGE TO SEARCH FOR AUDITOR'S
COUPONS REGARDING FLIGHTS DURING AUGUST AND SEPTEMBER, 1971, MENTIONED
IN LETTER DATED 7/20/73.

LEADS TO KANSAS CITY RE CHECK OF TWA RECORDS BEING SET OUT
BY AIRTEL.

END.

HOLD FOR ONE PLS

RXH FBIHQ ACK FO R ONE

NR 039 LA CODE

7:13 PM NITEL 5-8-73 MAH

TO ACTING DIRECTOR (ATTN: INTD) (65-74060)

FROM LOS ANGELES (105-27952) 2P

MC LEK, SIO.

Mr. Felt	
Mr. Baker	
Mr. Callahan	
Mr. Cleveland	
Mr. Conrad	
Mr. Galt	
Mr. Jenkins	
Mr. Marshall	
Mr. McLaughlin	
Mr. Thompson	
Mr. Walters	
Tele. Room	
Mr. Bates	
Mr. Barnes	
Mr. Brown	
Mr. Egan	
Mr. Gandy	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

AT OPENING OF COURT SESSION MAY EIGHT INSTANT GOVERNMENT ANNOUNCED THERE WERE NO FURTHER REBUTTAL WITNESSES. DEFENSE STATED IT HAD NO FURTHER WITNESSES AND JURY WAS EXCUSED UNTIL NINE THIRTY AM, MONDAY, MAY FOURTEEN NEXT. THEREAFTER, IN PROCEEDINGS OUTSIDE PRESENCE OF JURY, JUDGE BYRNE DIRECTED THAT GOVERNMENT TURN OVER THE ENTIRE CONTENTS OF HUNT'S SAFE LISTED IN FBI INVENTORY EXCEPT FOR THE NEWS CLIPPINGS.

DEFENSE THEN ANNOUNCED THAT THE FORTHCOMING MAY FOURTEEN ISSUE OF "TIME MAGAZINE" WILL CONTAIN INFORMATION THAT IN JULY, NINETEEN SEVENTYONE, FORMER ASSISTANT ATTORNEY GENERAL ROBERT MARDIAN AUTHORIZED TURNING OVER TO HUNT AND LIDDY "RAW FBI FILES" AND RESULTS OF FBI WIRE TAPS.

DEFENSE THEN VIGOROUSLY ARGUED ON THEIR REQUEST THAT AN IMMEDIATE HEARING BE HELD ON THE QUESTIONS OF "TAINED EVIDENCE",
END PAGE ONE

5 AUG 29 1973

ENCLOSURE

ROUTE IN ENVELOPE

84 SEP 4 1973

FIVE

GOVERNMENT MISCONDUCT AND MISCONDUCT OF JUDGE BYRNE IN HIS CONTACTS WITH EHRLICHMAN. THEY WERE INSISTENT HEARING BE HELD BEFORE CASE GOES TO JURY. IN ADDITION TO ABOVE GROUNDS FOR MISTRIAL OR DISMISSAL, DEFENSE IS ARGUING FOR DISMISSAL ON GROUNDS THAT THE REOCCURRING GOVERNMENT CAUSED-DELAYS IN TRIAL HAVE BEEN PREJUDICIAL TO THEIR CLIENTS.

JUDGE BYRNE THEN ANNOUNCED THAT ON ARGUMENTS HE HAS ALREADY HEARD ON DEFENSE MOTIONS FOR DIRECTED JUDGEMENT OF ACQUITTAL OR DISMISSAL THAT HE WILL RULE ON THESE MATTERS AT 9:30 A.M., MAY TENTH NEXT. DEFENSE THEN STATED THAT IN EVENT OF ADVERSE RULINGS THEY WISHED A SUSPENSION OF PROCEEDINGS IN ORDER TO TAKE MATTER TO APPELLATE COURT. BYRNE INDICATED HE WOULD BE AGREEABLE TO THAT REQUEST.

ADMINISTRATIVE:

MEMBERS OF PROSECUTION TEAM, AS WELL AS MEMBERS OF JUSTICE DEPT ASSOCIATED WITH THIS TRIAL, HAVE BEEN ORDERED TO SUBMIT AFFIDAVITS TO BYRNE REGARDING ANY KNOWLEDGE OF LIDDY AND HUNT'S ACTIVITIES OR INFORMATION RECEIVED FROM THEM WHICH WOULD HAVE BEEN OF USE IN TRIAL.

THE LATENT FINGERPRINT LIFTED BY BEVERLY HILLS PD IN THEIR INVESTIGATION OF BURGLARY OF DR. FIELDING'S OFFICE, WHICH WAS EXAMINED BY IDENT DIV WITH NEGATIVE RESULTS, WAS RETURNED TO BHPD ON MAY EIGHT INSTANT.

END

ACK FOR RI974 FOUR TELS

VAE FBIHQ CLR

Intelligence Division

INFORMATIVE NOTE

ELLSBERG CASE

Date 5/9/73

Attached reports that following 5/8/73 court session Judge Byrne directed that the Government turn over entire contents of Howard Hunt's safe listed in FBI inventory, except for news clippings. During 5/8/73 session there were no further rebuttal or defense witnesses. Defense announced 5/14/73 issue of "Time Magazine" will contain information that in July, 1971, former Assistant Attorney General Mardian authorized "raw FBI files" and results of FBI wire taps be turned over to Hunt and Gordon Liddy. Defense made pleas for mistrial or dismissal and Judge Byrne announced that on arguments he has heard on defense motions for directed judgement of acquittal or dismissal, he will rule on these matters at 9:30 a.m. 5/10/73.

Copy of attached will be disseminated to Deputy Assistant Attorney General Kevin T. Maroney.

HEM:lmk

*Mardian should be
asked about this.*

Faw

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

FROM : *RS/alg*
SAC, SAN DIEGO (65-2404) (RUC)

SUBJECT: DANIEL ELLSBERG
ACTIVITIES OF THE PLUMBERS
(INTELLIGENCE DIVISION)

DATE: 8/10/73

Re Los Angeles airtel, 8/3/73.

Enclosed for the Bureau are two copies of an FD-302 containing results of an interview with [REDACTED]
[REDACTED]
County, California.

A copy of this letter and one copy of the FD-302 are being designated for the Los Angeles Office for information purposes in view of their interest in this matter.

cc each det 902 D

ENCLOSURE

ST-119
DEC-29

2-Bureau (Enc. 2) (RM)
1-Los Angeles (Info) (Enc. 1) (RM)
1-San Diego
ADO:caw
(4)

file 65-74060

5 AUG-13 1973

84 AUG 31 1973



EXP. PROC.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/10/73

[REDACTED] was interviewed at his
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] he met both WILLIAM L. TERRY
[REDACTED], through their mutual interest
as ham radio operators. He met TERRY through [REDACTED] in the
early part of 1971 and has known [REDACTED] for approximately
3½ years.

[REDACTED] stated he only met personally with
TERRY on three occasions although he conversed with him
on a number of occasions telephonically and via ham radio.
When he first met him, TERRY stated that he had been an
Assistant to Mr. [REDACTED]

[REDACTED] On another occasion, TERRY tele-
phonically contacted him at home and told him he was in
San Diego to attend the dinner being offered by President
NIXON for the President of Mexico at the Del Coronado
Hotel in Coronado, California. On another occasion, he
received a telephone call from TERRY who stated he was
crossing the border into the United States at Tijuana,
Baja California, Mexico, with a very important person and
that a police escort was waiting for him on the United
States side to escort them to the airport at San Diego
where the important person was to catch a plane. According
to [REDACTED] TERRY subsequently stated that the important
person with him was Mr. MELVIN LAIRD, the Secretary of
Defense.

[REDACTED] further advised that TERRY was a very
friendly individual who was very helpful in connection with
ham radio matters, but categorized him as a person who was
trying to assume the role several steps above what he
actually was and who tried to impress others with his
importance.

Interviewed on 8/9/73 at Otay Mesa, San Diego
County, California File # SD 65-2404
by [REDACTED] Date dictated 8/10/73

ENCLOSURE

According to [REDACTED] TERRY never discussed anything with him regarding his activities as a member of the group called The Plumbers and neither did he, [REDACTED] ever discuss any of TERRY's activities with [REDACTED]

[REDACTED] stated he last saw TERRY in January of 1973 in Las Vegas, Nevada.

- Mr. R. E. Gebhardt
1 - Mr. E. S. Miller

CODE

TELETYPE

NITEL

1 - Mr. J. R. Hagy
8/30/73

TO: SACS, CHICAGO
KANSAS CITY
LOS ANGELES
NEW YORK
OKLAHOMA CITY

FROM: DIRECTOR, FBI (65-74060)

DANIEL ELLSBERG

(BURGLARY OF DR. LEWIS J. FIELDING'S OFFICE)

(INTELLIGENCE DIVISION)

BUFILES REVEAL OUTSTANDING INVESTIGATION IN RECIPIENT
OFFICES BASED ON REQUESTS MADE BY SPECIAL PROSECUTOR'S OFFICE (SPO)
BY LETTERS DATED 7/20/73 AND 7/27/73. LEADS INCLUDE REVIEW OF
RECORDS OF AMERICAN AIRLINES, TRANS WORLD AIRLINES, THE HOTEL PIERRE,
NYC, AND CREDIT CARD RECORDS FOR THE SHELL OIL COMPANY AND PHILLIPS
PETROLEUM COMPANY.

IMMEDIATELY REVIEW SPO LETTERS OF 7/20, 27/73; EXPEDITE
COVERAGE OF OUTSTANDING LEADS AND SUBMIT RESULTS OF ALL INVESTIGATION
CONDUCTED BY LHM TO REACH BUREAU AS SOON AS POSSIBLE. IN EVENT
EXTENSIVE RECORD CHECKS ARE CALLED FOR, RESULTS OF INVESTIGATION CON-
DUCTED TO DATE SHOULD BE FORWARDED AT ONCE, WITH ESTIMATE OF TIME

Assoc. Dir. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Cong. Serv. _____
Corr. & Crm. _____
Research _____
Press Off. _____
Telephone Rm. _____
Director Sec'y _____

JRH:vb

(5)

EX-112

REC-45

65-74060-44

SEE NOTE PAGE TWO

5 AUG 31 1973

1033P DLM
TELETYPE
AUG 30 11:13

88 SEP 10 1973

MAIL ROOM ☐

TELETYPE UNIT ☐

TELETYPE TO CHICAGO, ET AL.

RE: DANIEL ELLSBERG

(BURGLARY OF DR. LEWIS J. FIELDING'S OFFICE)

(65-74060)

NEEDED TO COMPLETE ALL WORK.

NOTE:

SPO by letters dated 7/20/73 and 7/27/73, requested considerable investigation of the August-September, 1971, travels and activities of Howard Hunt, Gordon Liddy, as well as of three Cuban associates. Investigation centers around 9/3/71 burglary of office of Daniel Ellsberg's psychiatrist. We have received and furnished SPO results of much of this work and are now calling for expedite coverage of remaining investigation.

F B I

Date: 8/3/73

Transmit the following in _____
(Type in plaintext or code)Via A I R T E L _____
(Priority)

Assoc. Dir.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Cong. Serv.	_____
Corr. & Crm.	_____
Research	_____
Press Off.	_____
Telephone Rm.	_____
Director Sec'y	_____

TO : DIRECTOR, FBI (65-74060)

FROM : SAC, CHICAGO (65-5369)

SUBJECT: MC LEX

Re Bureau 0-7 of 7/27/73, with attached memo of HENRY RUTH, Watergate Special Prosecution Force, to Director dated 7/20/73.

In accordance with the requests set forth in referenced memorandum, Chicago conducted the following investigation:

On 8/1/73, records of Altman's Camera Store, 129 North Wabash, Chicago, were reviewed. Under the date of 9/2/71, Agents discovered that various pieces of photographic equipment including a Minolta Camera and other devices suitable for document copying had been purchased under the name E. J. WARREN, 143 W. 73rd Street, Kansas City, Kansas.

On 8/2/73, records of Allied Radio, 100 North Western Avenue, Chicago, were likewise reviewed. A receipt dated 9/2/71 was located bearing the name GEO. F. LEONARD, 1601 Washington Avenue, Kansas City, Kansas, for the purchase of 2 walkie-talkie hand sets.

REG 25 65-74060-4489

The receipts for the camera equipment, as well as the walkie-talkies identified the clerks who made the sales. In both cases the sales personnel are still employed at the respective stores, but they were not interviewed as to their recollection of the sales.

- ② - Bureau (RM)
1 - New York (RM)
1 - Chicago

NJH/bak
(4) 59 SEP 6 1973

5 AUG 31 1973

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

The store copy of the receipt for the camera equipment was obtained from Altman's, however, Allied Radio made copies of their sales invoice available, but declined to furnish their store copy without a subpoena or clearance with their headquarters in Ft. Worth, Texas.

Inquiry was also made on 8/1/73, with a representative of United Air Lines (UAL) Ticket Control Section, Chicago, which according to the representative is the central depository for all UAL tickets and is the accounting center for UAL. He advised that all records of tickets for 1971, had been destroyed as part of UAL's routine destruction program. UAL maintains tickets for only one year. No microfilm records or any other type of record is available to identify ticket holders in 1971.

Chicago is assembling the foregoing information in detail and will submit expeditiously the information in disseminable form.

American Airlines ticket headquarters is in New York City. New York, if not already done so, handle request set forth in referenced memo.

F B I

Date: 8/7/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (65-74060)
FROM: SAC, ALEXANDRIA (65-67) (P)

UNITED STATES VS. ANTHONY J. RUSSO, JR.,
AND DANIEL ELLSBERG

Re WFO airtel to Bureau 7/31/73; Alexandria
teletype to Bureau 8/6/73.

Enclosed as background information for Kansas
City are the following:

1. One copy of the referenced WFO airtel to the Bureau dated 7/31/73.
2. One copy of a letter from HENRY RUTH, Deputy Assistant Special Prosecutor, entitled "Burglary of Dr. Lewis J. Fielding," and dated 7/20/73.
3. One copy of the referenced Alexandria teletype to the Bureau dated 8/6/73.

For the information of the Bureau, Alexandria will submit results of investigation set forth in the referenced teletype dated 8/6/73 by means of an appropriate LHM.

LEAD:

KANSAS CITY: *cc det. 90-10* **EX-117**

- 1*
- ② - Bureau (65-74060)
 - 2 - Kansas City (Encs. 3)
 - 2 - WFO (65-11613)
 - 2 - Alexandria (65-67)
- JVM/pll
(8)

REC 25 *65-74060-4490*

3 AUG 7 1973

Wagoner
FIVE

53 SEP 5 1973 *COB*

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

AX 65-67

AT KANSAS CITY, MISSOURI

Will contact appropriate sources at Trans World Airlines, Inc., headquarters and attempt to determine if they have any information or records concerning the travels during August and September, 1971, of E. HOWARD HUNT, JR., or G. GORDON LIDDY. It is noted the enclosed letter from HENRY RUTH sets forth particular dates of interest and the cities to and from which the travel took place.

F B I

Date:

8-9-73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (65-74060)

FROM: SAC, MIAMI (65-3264) (P)

RE: UNITED STATES vs ANTHONY J. RUSSO, JR.
AND DANIEL ELLSBERG

(OO:LOS ANGELES)

Re 0-7 dated 8/3/73 with enclosed Special Prosecutor's office (SPO) letter 7/27/73.

Inquiry at Miami has determined that credit card records for BERNARD L. BARKER would be located at the following locations:

American Express Co., Miami
Phillips Petroleum Co., P. O. Box 77,
Bartlesville, Okla. 74004
Shell Oil Co., P. O. Box 80, Tulsa, Okla., with
other offices at 65th and South
Yale, Tulsa 74136.

There is enclosed for the information of Oklahoma City a copy of referenced communications.

Oklahoma City should review credit card records as indicated.

- 2 - Bureau (RM)
2 - Oklahoma City (Enc. 127) (RM) (65-1372)
2 - Los Angeles (105-27952) (RM)
1 - Miami

WWS/dks
(7)

REC 25

65-74060-4491

5 AUG 13 1973

53 SEP 5 1973

Sent _____ M Per _____

Special Agent in Charge

MM 65-3264

O-7 dated 7/27/73 in this matter indicated that recipient offices should handle leads in respective territories expeditiously and that the DANIEL ELLSBERG file number should be used when submitting results for dissemination to SPO.

In connection with the lead to check toll call records for telephone subscribed to by BARKER, DIEGO, and MARTINEZ, it is to be noted that long distance toll records at Miami obtained from Southern Bell Telephone and Telegraph Co. through issuance of a proper subpoena, are available only for the period of the last six months. Accordingly, toll records for the period April 1, 1971 - December, 1972, have been destroyed.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Assoc. Dir.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	<input checked="" type="checkbox"/>
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Cong. Serv.	_____
Corr. & Crm.	_____
Research	_____
Press Off.	_____
Telephone Rm.	_____
Director Sec'y	_____

NR025 NY CODE

550PM URGENT 8-17-73 CJR

TO DIRECTOR 65-74060

LOS ANGELES 105-27952

MIAMI 65-3264

WASHINGTON FIELD 65-11613

FROM NEW YORK 3P

AUG 17 1973
TELETYPE

UNITED STATES VERSUS ANTHONY J. RUSSO, JR. AND DANIEL ELLSBERG,
OO LOS ANGELES, NEW YORK FILE 65-25641;

BURGLARY OF DR. LOUIS J. FIELDING; INFORMATION CONCERNING
OO LOS ANGELES, NEW YORK FILE 62-14906

REFERENCE ALEXANDRIA TELETYPE, 8/6/73 (NO COPY TO LOS
ANGELES); NEW YORK TELETYPE, 8/14/73; LOS ANGELES TELETYPE,
8/14/73.

IN EFFORT TO COMPLY WITH REQUEST SET FORTH IN MEMORANDUM
OF HENRY RUTH OF SPECIAL PROSECUTOR'S OFFICE (SPO)
DATED 7/20/73, PERTAINING TO DOCUMENTATION FOR AIRLINE TRAVELS
OF HUNT AND LIDDY, NEW YORK DIVISION HAS COMMENCED SEARCH
FOR TICKET COUPONS AT AMERICAN AIRLINES (AA), HEMPSTEAD, NEW YORK,
FOR THOSE FLIGHTS WHERE SPECIFIC INFORMATION OF DATE

END PAGE ONE

53 SEP 5 1973

REC 25

4492

5

PAGE TWO

AND TIME OF DEPARTURE IS DEFINITELY KNOWN; NAMELY AA FLIGHT 8/25/71 FROM DULLES TO LOS ANGELES DEPARTING 5:55 EDT; AA FLIGHT FROM LOS ANGELES TO DULLES, 8/21/71, DEPARTING 10:40 PDT; AA FLIGHT FROM LOS ANGELES TO DULLES DEPARTING EVENING OF 8/23/71.

AA OFFICIALS ADVISED THAT A SEARCH OF COUPON RECORDS WHERE SPECIFIC DATE AND FLIGHT NUMBER IS UNKNOWN, WHICH WOULD EMBRACE PERIODS 8/21-8/23/71 AND 8/31/71 THROUGH 9/3/71, WOULD REQUIRE SIX TO EIGHT AGENTS REVIEWING RECORDS FOR APPROXIMATELY TWO WEEKS. THIS IS MOST CONSERVATIVE ESTIMATE. UTILIZING MORE AGENTS IS NOT FEASIBLE BECAUSE OF LIMITATIONS OF SPACE AND DISRUPTION OF AA OPERATIONS. LOS ANGELES DIVISION RECOMMENDED THAT NEW YORK DIVISION HOLD SEARCH FOR COUPONS DURING PERIOD 8/21-23/71 IN ABEYANCE PENDING RECEIPT OF DEFINITE INFORMATION AS TO DURATION OF STAY IN LOS ANGELES AREA; SUCH INFORMATION WOULD AID IN SEARCH OF AA RECORDS. NEW YORK DIVISION CONCURS WITH RECOMMENDATION.

END PAGE TWO

PAGE THREE

WASHINGTON FIELD IS REQUESTED TO CONTACT RUTH EXPLAINING PROBLEMS OF SEARCH OF AIRLINE RECORDS. IN VIEW OF STRAIN ON NEW YORK MANPOWER AND AA OPERATIONS AND FACT THAT DOCUMENTARY EVIDENCE FROM HOTEL REGISTRATION RECORDS WOULD SERVE PURPOSE OF PLACING HUNT AND LIDDY IN LOS ANGELES AREA, IT IS REQUESTED WASHINGTON FIELD SEEK MODIFICATION FROM RUTH CONCERNING HIS REQUEST FOR SEARCH FOR PERIODS 8/21-23/71 AND 8/31/71-9/3/71. INSURE RUTH THAT ON DEVELOPING SPECIFIC INFORMATION AS TO DATE AND TIME FRAME OF TRAVEL, IMMEDIATE ATTEMPTS TO LOCATE COUPONS WILL BE COMMENCED. MODIFICATION DESIRED BY NEW YORK DIVISION IS THAT SEARCH FOR AIRLINE COUPONS DURING ABOVE TWO PERIODS BE HELD IN ABEYANCE PENDING COMPLETION OF INVESTIGATION BY OTHER FBI DIVISIONS WHICH WOULD FACILITATE EFFICIENT AND ORDERLY SEARCH OF AA RECORDS BY NEW YORK DIVISION.

END

MSI FBIHQ ACK 3

CLR

Discussed with SPO - loop looking

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 8/27/73

FROM : J. E. Herington

SUBJECT: NEWS INQUIRIES RE ALLEGED "FBI BURGLARIES"

Assoc. Dir. ☒
Asst. Dir.:
Admin. ☐
Comp. Syst. ☐
Files & Com. ☐
Gen. Inv. ☐
Ident. ☐
Inspection ☒
Intell. ☒
Laboratory ☐
Plan. & Eval. ☐
Spec. Inv. ☐
Training ☐
Legal Coun. ☐
Cong. Serv. ☐
Corr. & Crm. ☐
Research ☐
Press Off. ☒
Telephone Rm. ☐
Director Sec'y ☐

Subsequent to the President's news conference last week I began receiving numerous press contacts wanting an FBI comment on the President's statement alleging that prior Administrations had authorized frequent FBI surreptitious entries. The President's comments were apparently an attempt to justify the entry by the Plumbers into the office of the psychiatrist of Daniel Ellsberg.

I have responded to all these inquiries which continued throughout the weekend by refusing to comment.

A UPI ticker on 8/24/73 attributes to an "FBI official, who declined to be identified" comments admitting burglaries against embassies, justifying the practices on the need for intelligence and stating that we don't do it anymore. This comment, if made by any FBI official, certainly did not come from my office. I have not mentioned the word "embassies" to any reporter. Some have questioned me about the President's allegation that these alleged prior activities were publicly known and were told that I couldn't imagine what the President was referring to, although he had made a somewhat similar statement in his May 23rd speech and the Houston memorandum makes similar allegations a matter of public record. The Houston memorandum also points out that the FBI had discontinued operations involving surreptitious entries.

I frankly don't think that anyone made the statement UPI uses. It is similar to statements attributed to former FBI officials and it is my opinion that UPI bent the facts a bit to make the story better.

On Friday, Bob Rogers of King Television News in Seattle and on Saturday, Larry Hatfield of the "San Francisco Examiner" specifically requested information as to when Mr. Kelley was assigned to the Seattle Office. Mr. Kelley's official biography shows that he served as ASAC in Seattle from

- 1 - Mr. Miller
- 1 - Mr. Cleveland
- 1 - Mr. Malmfeldt
- 1 - Mr. Herington

59 SEP 7 1973
JEH:asg

(5)

REC 25
(CONTINUED-OVER)

XEROX EX-103

SEP 4 1973

PERS. REC. UNIT

RECORDED
INDEXED

Herington to Director memorandum
Re: News Inquiries Re Alleged "FBI Burglaries"

July, 1955, until August, 1956. This information was furnished both reporters. Obviously, these inquiries were based on former SA William Turner's allegations that we had entered the Japanese Consulate in Seattle. The reporters were apparently attempting to determine if Mr. Kelley could have had personal knowledge or participation.

Bob Rogers also asked me if I had any comment to make on the "Anagram Program" and I repeated to him what I had been telling the press throughout that the FBI had no comment to make on any aspect of this matter. In two or three of the contacts I was asked if Mr. Kelley did personally have any statement to make concerning these allegations and some inquiries were made as to whether Mr. Kelley would be personally available for interviewing. I responded to each of these by stating that I did not anticipate that the FBI or Mr. Kelley personally would have any comment on this matter.

RECOMMENDATION

For information.

H.M.

[Signature]

K

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Mr. Cox,

If you would send one of
your investigators to interview me,
I can tell you exactly how the
Pentagon papers got to the Russian
Embassy and a story of persecution
of justice that is ongoing. I also
have some GEMSTONE recommendations
were not destroyed. Hope to hear
from you in the near future.

Sincerely,

[REDACTED]

65-74060-4494

ENCLOSURE

1 - Mr. R. E. Gebhardt
1 - Mr. E. S. Miller
1 - Mr. J. R. Hagy

August 31, 1973

Mr. Archibald Cox
Special Prosecutor

Director, FBI

BY COURIER SERVICE

DANIEL ELLSBERG

Reference is made to memorandum to Director, FBI, from Mr. Henry S. Ruth, Deputy Assistant Special Prosecutor, dated August 20, 1973, captioned "Burglary of Dr. Lewis J. Fielding."

Referenced memorandum requested a check of FBI files to determine whether [REDACTED]

[REDACTED] has been interviewed in the past relative to the manner in which the Soviets acquired the "Pentagon Papers." By letter dated July 28, 1973, [REDACTED] informed your office he had information in this regard and also had some summaries which had not been destroyed.

This will confirm conversation regarding [REDACTED] between Messrs. William Merrill and Philip Bakes of your office and Special Agent [REDACTED] on August 28, 1973. Your representatives were advised that the FBI had interviewed [REDACTED] relative to his alleged knowledge of the acquisition of the "Pentagon Papers" by the Soviets, and that information furnished by [REDACTED] was implausible and inconsistent with data previously developed by the FBI during investigation of the "Pentagon Papers" leak. It was also noted that at the time this interview was conducted, October 25, 1972, [REDACTED] was described by an associate of his attorneys as being in need of a psychiatrist. Mr. Merrill then stated that in view of this information, he saw no need

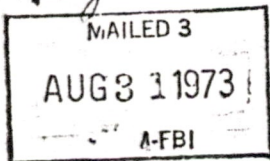
REC-75

65-74060 - 4424

JRH

JRH:vb

(6)



SEE NOTE PAGE TWO

EM

WICE
HITEN

FSP

53 SEP 16 1973

MAIL ROOM ☐ TELETYPE UNIT ☐

Mr. Archibald Cox
Special Prosecutor

to further interview [REDACTED] at this time relative to allegations contained in [REDACTED]'s letter dated July 28, 1973.

Enclosed for your information is one copy of a memorandum dated October 30, 1972, at San Francisco, captioned [REDACTED] which contains results of FBI interview of Beauchamp.

Enclosure

NOTE:

Following receipt of Special Prosecutor's Office (SPO) letter of 8/20/73, file review revealed considerable correspondence regarding allegations made by [REDACTED] during Fall of 1972 to effect he was aware of passage of "Pentagon Papers" to Soviets and that he had over 100 pages of these documents in his possession. Interview of [REDACTED] by San Francisco developed no information to indicate authenticity of his rambling, implausible story. [REDACTED] also tried to make deal, indicating he would turn over copies of "Pentagon Papers" in his possession in return for which all charges against him, including a murder charge, would be dropped and he would be allowed to leave United States. An associate of a California attorney representing [REDACTED] advised us at time of interview [REDACTED] help. Summary of foregoing was orally furnished SPO 8/25/73, following which their request for interview of [REDACTED] was withdrawn. "Gemstone," referred to in [REDACTED] letter, appears related to code name given to one of the wiretaps placed by The White House "Plumbers" on the Watergate offices of the Democratic National Committee in May-June, 1972.

FEDERAL BUREAU OF INVESTIGATION

5/9/73

Date of transcription

FELIPE DE DIEGO, 1841 S.W. 92nd Place, Miami, Florida, was contacted at his place of business, Realco Realty, Inc., 2731 Coral Way, Miami, Florida, where he is president. He read the "Advice of Rights" form and stated he understood, but he did not wish to sign the form.

Mr. DE DIEGO was advised that the FBI wished to question him concerning his activities on the west coast in 1971, with BERNARD BARKER and his associates, particularly in connection with the allegation that he, DE DIEGO, had participated in the break-in of the office of the psychiatrist of DANIEL ELLSBERG. He replied that he would not say anything about that at this time, but that he wanted it understood that anything he did he did because he thought he was working for the CIA and helping the United States Government.

Mr. DE DIEGO said he would tell everything he knows about those activities if he was granted immunity by the Grand Jury. He pointed out that he had been granted immunity earlier in testifying before the Grand Jury in the Watergate affair. If he was extended the same type of immunity in this matter, he would tell everything he knew about the ELLSBERG affair.

Mr. DE DIEGO said that in the meantime, however, in his own self interest he would have no further comment concerning this matter. He indicated after all the publicity, he would be glad to receive a subpoena and help get this thing resolved.

REC-52

65-74060-4475

NOT RECORDED

5 MAY 20 1973

9-5

5/8/73

Miami, Florida

Miami 65-3264

11

5/9/73

Date dictated

Intelligence Division

INFORMATIVE NOTE

Date 5/10/73ELLSBERG CASE

Attached is a facsimile copy of an interview form recording interview of Felipe DeDiego, Miami, Florida. DeDiego was questioned in regard to the allegation he had participated in a break-in of the office of Daniel Ellsberg's psychiatrist in California. DeDiego stated he would not say anything about the break-in but he wanted it understood that anything he did, he did because he thought he was working for the Central Intelligence Agency and helping the United States Government.

DeDiego also said he would tell everything he knew about the activities referred to if he was granted immunity by the Grand Jury. He indicated that after all the publicity, he would be glad to receive a subpoena and help get the matter resolved.

Copies of the attached have been furnished to Deputy Attorney General Kevin T. Maroney.

LEB:mlr

LEB

Flaw

WBC

FM

ROUTE IN ENVELOPE

MESSAGE RELAY

EX-112 REC-3

65-74060-4496

Date 8-25-73

Transmit in Code (plaintext or code) via teletype the attached Priority (priority) message.

FROM: Director, FBI

FIELD DISSEMINATION

TO: RUEADWW/ ☐ The President
 RUEADWW/ ☐ The Vice President
 ☐ Att.: _____
 RUEADWW/ ☐ White House Situation Room
 ☐ Att.: _____
 RUEHOC/ ☐ Secretary of State
 RUEAIIA/ ☐ Director, CIA
 RUEKJCS/ ☒ Director, Defense Intelligence Agency
 ☐ and National Indications Center
 RUEACSI/ ☒ Department of the Army
 RUEBGFA/ ☐ Department of the Air Force (AFOSI)
 RUEOLKN/ ☐ Naval Investigative Service
 RUEADSS/ ☒ U. S. Secret Service (PID)
 RUEBWJA/ ☒ Attorney General (☐ By messenger)
 RUEBWJA/ ☒ Deputy Attorney General (☐ By messenger)
 RUEBWJA/ ☒ Assistant Attorney General, Criminal Division
 ☒ and Internal Security Section
 ☒ and General Crimes Section
 RUEBWJA/ ☐ Immigration & Naturalization Service
 RUEOIAA/ ☐ National Security Agency (DIRNSA/NSOC (Att.: SOO))
 RUEOGBA/ ☐ Federal Aviation Administration
 ☐
 ☐

SACS:

LEGATS:

U. S. DEPARTMENT OF JUSTICE
 FEDERAL BUREAU OF INVESTIGATION
 COMMUNICATIONS SECTION

SEP 4 1973

FILE - 300-4

FILED
 att

Assoc. Dir. _____
 Asst. Dir.: _____
 Admin. _____
 Comp. Syst. _____
 Files & Com. _____
 Gen. Inv. _____
 Ident. _____
 Inspection _____
 Intell. _____
 Laboratory _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Legal Coun. _____
 Cong. Serv. _____
 Corr. & Crm. _____
 Research _____
 Press Off. _____
 Telephone Rm. _____
 Director Sec'y _____

Classification: (Classify if to other than Bureau Office) **UNCLASSIFIED**

SUBJECT:

UNSUB, aka [REDACTED] UNSUB, aka [REDACTED]
 INFORMATION CONCERNING

(Text of message begins on next page.)

70 SEP 7 1973

EM/CCG#

MAIL ROOM ☐ TELETYPE UNIT ☒

F B I

Date: 8/7/73

Transmit the following in _____
(Type in plaintext or code)Via A I R T E L _____
(Priority)

TO: DIRECTOR, FBI (65-74060)
 FROM: SAC, MIAMI (65-3264) (P)

UNITED STATES vs. ANTHONY J. RUSSO, JR.
 and DANIEL ELLSBERG

(OO: LOS ANGELES)

Re Los Angeles telephone call to Miami, 7/27/73,
 and Miami teletype 7/27/73.

Enclosed for the Bureau are five copies of an LHM
 dated and captioned as above, with two copies enclosed for
 Los Angeles Division.

There is no information in Miami indices identifi-
 able with telephone subscribers mentioned in this LHM.

2- Bureau (Enc.5) (RM)
 2- Los Angeles (105-27952) (Enc.2) (RM)
 1- Miami
 WWS/thm
 (5)

REC-9

65-74060-4497

9-7

2 cc LHM to
 SPO by hand
 8/31/73

Washburn
 [Signature]

84 SEP 11 1973

Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUL 29 1973

TELETYPE

Mr. Felt	_____
Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Gebhardt	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, ES	_____
Mr. Soyars	_____
Mr. Thompson	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Bates	_____
Mr. Berner	_____
Mr. Bowen	_____
Mr. Herington	_____
Mr. Conny	_____
Mr. Mintz	_____
Mr. Eardley	_____
Mrs. Hogan	_____

NR 331 NY CODE

1145 AM I M M E D I A T E 7-29-73 KEH

TO DIRECTOR (65-74363)

LOS ANGELES (105-27952)

FROM NEW YORK (65-25641) 4P

UNITED STATES VS DANIEL ELLSBERG; ANTHONY JOSEPH RUSSO, JR.
ESPIONAGE, THEFT OF GOVERNMENT PROPERTY, CONSPIRACY.

THE FOLLOWING SUBSCRIBERS WERE IDENTIFIED THROUGH THE
USE OF CROSS-REFERENCE TELEPHONE DIRECTORIES IN THE NEW YORK
CITY AREA:

TELEPHONE NUMBER [REDACTED] IS LISTED TO THE [REDACTED]
[REDACTED] NEW YORK CITY, NEW YORK. IN

ADDITION THE FOLLOWING SUBSCRIBERS ARE ALSO LISTED AT
TELEPHONE NUMBER (212) 538-1403 AT THE SAME ADDRESS: [REDACTED]

END PAGE ONE

2 cc's (Adm Deleted) REC-9
to William Aronoff, Los Angeles
by hand, by 7/30/73
Office (see LA airtel 7/30/73)

18 SEP 7 1973

84 SEP 11 1973

F B I

Date: 7/27/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

Asst. Dir.:
 Admin. _____
 Comp. Syst. _____
 Files & Com. _____
 Gen. Inv. _____
 Ident. _____
 Inspection _____
 Intell. ✓
 Laboratory _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Legal Coun. _____
 Cong. Serv. _____
 Corr. & Crm. _____
 Research _____
 Press Off. _____
 Telephone Rm. _____
 Director Sec'y _____

TO: DIRECTOR, FBI (65-74060)

FROM: SAC, SEATTLE (105-7930) (w/c)

SUBJECT: UNITED STATES VS.
ANTHONY J. RUSSO, JR.
AND DANIEL ELLSBERG

Re Los Angeles telephone call 7/27/73.

Enclosed herewith for the Bureau are four copies,
and for Los Angeles two copies, of an LHM.

EX-105

REC-105

18 SEP 7 1973

ENCLOSURE

- 2 - Bureau (Enc. 4) (RM)
 2 - Los Angeles (105-27952) (Enc. 2) (RM)
 2 - Seattle
 FAW:bfr
 (6)
- 2 LHM by hand*

84 SEP 11 1973

Approved: _____ Sent _____ M Per _____
Special Agent in Charge